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JOURNAL

OF THE

SENATE

Held AT THE

FIRST SESSION

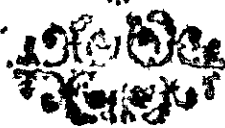
OF THE

FIFTI^H GENERAL ASSEMBLY

OF THE

STATE OF TENNESSEE,

BEGAN AND HELD AT KNOXVILLE, ON MONDAY THE
NINETEENTH DAY OF SEPTEMBER, ONE
THOUSAND EIGHT HUNDRED
AND THREE.



KNOXVILLE:

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JOURNAL
OF THE
SENATE
OF THE
STATE OF TENNESSEE

AT a meeting of the General Assembly of the State of Tennessee, in Knoxville, on Monday the nineteenth day of September, one thousand eight hundred and three; being the First Session of the Fifth General Assembly of the State of Tennessee, the following members of the Senate appeared, produced their credentials, were qualified, and took their seats:

From the counties of

Blount and Sevier, Mr. Flayl Nichol.

Cocke and Jefferson, Mr. George Doherty.

Carter and Washington, Mr. Nathaniel Taylor.

Davidson and Williamson, Mr. Robert Weakley
and Mr. James Maxwell.

Grainger and Claiborne, Mr. John F. Jack.

Greene, Mr. John Galt.

Hawkins, Mr. Joseph M'Minn.

Knox, Roane and Anderson, Mr. James White.

Montgomery and Robertson, Mr. Duncan Stewart.

Sullivan, Mr. George Rutledge.

Sumner and Wilson }
Smith and Jackson, } Mr. George Smith.

On motion, James White was unanimously chosen Speaker, and he was conducted to the chair accordingly.

The House then proceeded to the election of Chief Clerk, when George Roulstone and James Tremble were put in nomination. Messrs. M'Minn and Smith were appointed to superintend the balloting, and upon counting the votes, James Tremble was reported to have a majority of the votes, and to be duly elected, and was qualified accordingly.

The House then proceeded to the choice of an Assistant Clerk. Messrs. Luke Lea, Nathaniel Buckingham and Joseph Henderson were put in nomination. Messrs. M'Minn and Smith were appointed to superintend the balloting, who, on counting the votes, reported, that Mr. Lea and Mr. Buckingham had each five votes, and Mr. Henderson two; neither of them having a majority.

On motion of Mr. Weakley,

Resolved, That the election of an Assistant Clerk be postponed until to morrow

On motion of Mr. Smith,

Resolved, That the House adjourn until to morrow nine o'clock.

Tuesday, October 20.

The House met according to adjournment.

On motion of Mr. Weakley, seconded by, Mr. M'Minn, the following message was sent to the House of Representatives :

Mr. speaker and gentlemen of the House of Representatives,

The Senate are convened and ready to proceed to business.

On motion of Mr. Weakley, seconded by Mr. Smith,

Ordered, That a committee be appointed to draw up rules of decorum for the government of this House, and Messrs. Weakley, Rutledge, and Stewart were appointed.

On motion of Mr. M'Minn, seconded by Mr. Weakley, the House proceeded to the election of an Assistant Clerk.

On motion of Mr. Doherty, Mr. Henderson's name was withdrawn as a candidate. Messrs. M'Minn and Smith were appointed to superintend the balloting, and on counting the votes, Mr. Lea was reported to have a majority of the votes, and to be duly elected, and he was qualified accordingly.

On motion of Mr. Smith, and seconded by Gass, Ordered, that the following message be sent to the House of Representatives :

Mr. Speaker and Gentlemen of the House of Representatives.

The Senate propose, that a committee be appointed to wait on his Excellency Governor Roane, and inform him that the General Assembly has convened, and is ready to receive such communications as he may be pleased to make, and have nominated Messrs. Doherty and Taylor on their part, to act with such gentlemen as you may appoint.

A message from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

The House of Representatives has also convened, and is ready to proceed to public business.

A message from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

This House concur with you in appointing a committee to wait on his Excellency Governor Roane, and inform him that the legislature is convened and ready to receive such communications as he may think proper to make ; and on their part nominate Messrs. John Tipton, Hall, Foster, Campbell and Hanes to act with such as you have appointed.

On motion of Mr. Weakley, seconded by Mr. M'Minn, Resolved, that a committee of elections be appointed to consist of Messrs. Jack, Gass and Smith.

On motion of Mr. Smith, seconded by Mr. Gass, the

following message was sent to the House of Representatives:

Mr. Speaker and Gentlemen of the House of Representatives.

The Senate propose that both Houses meet in the Representatives' chamber, to morrow, between the hours of twelve and one, to count out the votes for governor, and representatives to congress.

A message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

This House concur with you in meeting in the Representatives' chamber, tomorrow, between the hours of twelve and one o'clock, to count out the votes for governor and members to congress; and have appointed on their part Messrs. John Tipton, Foster, Hall, Campbell, and Hanes.

On motion of Mr. Weakley, seconded by Mr. Smith,
Resolved, that the following message be sent to the House of Representatives

Mr. Speaker and Gentlemen of the House of Representatives.

The Senate propose, that a committee of propositions and grievances be appointed, and have appointed on their part, Messrs. Maxwell, Gass and Nichols to act with such gentlemen as you may appoint.

A message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

This House concur with you in appointing a committee of propositions and grievances, and have on their part Messrs. Wharton, Wyne, Campbell, Renfro, Kennedy and John Tipton.

On motion of Mr. Jack, seconded by Mr. Weakley,
Ordered, that the following message be sent to the House of Representatives:

Mr. Speaker and Gentlemen of the House of Representatives,

The Senate propose, that a committee of finance be ap-

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pointed, and name on their part Messrs. Weakley, M'Minn and Jack to act with such gentlemen as you may appoint on your part.

A message from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

This House concur with you in appointing a committee of finance, and have on their part Messrs. Martin, Claiborne, Menefee, Scott, Russell and Snodgrass.

On motion of Mr. Gals, seconded by Mr. M'Minn,
Ordered, that the following message be sent to the House of Representatives.

Mr. Speaker and Gentlemen of the House of Representatives,

The Senate propose, that a committee of claims be appointed, and name on their part Messrs. Rutledge, Stewart and Doherty to act with such gentlemen as you may appoint on your part.

A message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

This House concur with you in appointing a committee of claims, and name on their part Messrs. Hall, Foster, Campbell, Hanes, Samuel Tipton and Kennor.

On motion of Mr. M'Minn, seconded by Mr. Weakley,
Ordered, that the following message be sent to the House of Representatives:

Mr. Speaker and Gentlemen of the House of Representatives,

The Senate propose, that a committee be appointed to report such bills of a public nature as they may deem expedient to be passed into laws during the present session; and also, report the unfinished business of the last session; and for that purpose nominate on their part Messrs. Smith, Taylor and Jack to act with such gentlemen as you may appoint.

Mr. Gals moved and was seconded by Mr. Doherty, to amend the message by expanding that part of the message

in the words following : " and also the unfinished business of the last session," and taking the sense of the House, it was resolved, that the message should be sent so amended.

A message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

This House concur with you in appointing a committee to enquire what bills of a public nature are necessary to be passed into laws this session, and name on their part Messrs. Kennedy, Russell, Scott, Menefee, Nelson and Cheatham.

On motion of Mr. M'Minn, seconded by Mr. Weakley, House adjourned until three o'clock, P. M.

House met according to adjournment.

Mr. Taylor, from the joint committee appointed to wait on his excellency Governor Roane, to inform him, that the legislature was convened and ready to receive any communications he may be pleased to make, reported, that they had waited on the Governor, and had received for answer, that he would meet both Houses in the Representatives' chamber this day, at the hour of four in the afternoon, and make his communications.

A message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

This House propose going into the election of a Senator to represent this state in the Senate of the United States, tomorrow at eleven o'clock, and ask your concurrence.

Which being read, was concurred with, and the following message was sent to the House of Representatives :

Mr. Speaker and Gentlemen of the House of Representatives,

This House concur with your message, proposing to go into the election of a senator to represent this state in the senate of the United States. tomorrow at eleven o'clock, and nominate General Daniel Smith and Joseph Anderson, Esquire, as candidates ; and appoint, on their part, Messrs.

Weakley and Gass to superintend the balloting, with such other gentlemen as you may appoint.

A message from the House of Representatives :

Mr. Speaker and Gentlemen of the Senate,

This House concur with you in the nomination of candidates to represent this State in the senate of the United States, and name Messrs. Kennedy and Hall to superintend the balloting on the part of this House.

On motion of Mr M'Minn, seconded by Mr. Gass, Resolved, that the following message be sent to the House of Representatives :

Mr. Speaker and Gentlemen of the House of Representatives,

The senate resolve, that William Maclin, esquire, secretary of state, be required to lay before a committee of both Houses of this General Assembly all papers, vouchers, &c. belonging to his office, and that the said committee be required to report upon the same as soon as practicable.

The Senate nominate on their part Messrs. Stewart and Taylor to act with such gentlemen as you may appoint, and ask your concurrence.

A message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

The House concur with you in calling on William Maclin, esquire, secretary of state, to lay before a committee of both Houses of this Legislature, all vouchers, &c. belonging to his office, and name on our part Messrs. Hanes, Kennedy, Hall and Foster, to act with the gentlemen named by the Senate.

Message from the House of Representatives.

Mr. Speaker and Gentlemen of Senate,

The House of Representatives are ready to receive the Senate for the purpose of hearing the Governor's communications.

Resolved that this House retire to the chamber of the House of Representatives, to hear the Governor's communications.

After hearing the communications of his Excellency, this House returned back to the Senate chamber.

The House adjourned till to morrow nine o'clock.

Wednesday, October 21, 1803.

The House met according to adjournment.

Mr. Rutledge from the committee appointed to draw up rules for the regulation of this House, reported the following, which were adopted :

1st. When the Speaker is in the chair, every member may sit with his head covered.

2d. Every member shall come into the House with his head uncovered, and continue so at all times but when he sits in his seat.

3d. The Speaker having taken the chair and two thirds of the members being present, the clerk shall read the journals of the preceeding day, in order that any mistake may be corrected that may have been made in the entry.

4th. While the journals or other public papers are reading, and when any member is speaking, there shall be no interruption, nor shall the members read any printed paper, but the attention of the House is expected.

5th. Every member, when he speaks, shall, standing in his place, address himself to the Speaker or Chairman, as the case may be, who shall give his attention by naming the member.

6th. When any motion shall be before the House, and not properly understood, the Speaker may explain ; but shall not attempt in any such explanation, to sway the House by argument or debate.

7th. If two or more members rise to speak at the same time, the Speaker shall determine who shall speak first.

8th. The Speaker, with leave of the House, shall have privilege to speak on any subject proposed, agreeable to the rules established by the House, provided he speaks before the arguments are gone through.

9th. A member digressing from the subject, or using any personal observations or reflections, may be called to order by the Speaker, Chairman or any member of the House.

10th. All motions to be committed to writing and seconded, before the same can be considered in possession of the House, except a motion of course.

11th. No member shall speak more than twice without

leave of the House, to the same subject, unless in a committee of the whole.

12th. When a question is before the House, no motion shall be received, unless for amendment for the previous question, or to commit or to adjourn.

13th. No member shall depart the House without leave.

14th. No member shall pass between a member, when speaking, and the Speaker.

On motion of Mr. Taylor, seconded by Mr. Gals, the following resolution was offered to the House:

Resolved, That the following message be sent to the House of Representatives:

Mr. Speaker and Gentlemen of the House of Representatives,

The Senate propose to go into the election of a Senator to represent this state in the Senate of the United States, for six years, commencing the fourth of March, one thousand eight hundred and five, at the hour of four p. m. on Saturday next, and ask your concurrence.

Mr. Weakley moved and was seconded by Mr. Maxwell; That the resolution lie on the table till four o'clock this evening, and on taking the sense of the House, it was so determined.

A message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

We herewith send you a report of the hon. Mr. Anderson, accompanied with a certain document, touching business, which has been committed to his care, which has been read in this House, and referred to Messrs. Wynn, Hanes and Rutledge.

Which being read, on motion of Mr. M'Minn, seconded by Mr. Gals, resolved, that this House appoint Messrs. Gals and Maxwell as a committee on their part to take the same into consideration.

A message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

The House of Representatives are ready to receive your body, for the purpose of going into the election of a sena-

cor to represent this state in the Senate of the United States.

The Speaker and gentlemen of the Senate accordingly retired to the Representatives chamber at eleven o'clock, for the purpose of balloting for a senator.

And after some time spent in balloting, Mr. Weakley, from the committee appointed to superintend the balloting, reported, that neither of the gentlemen had a majority, the number of votes being equal.

Whereupon the House proceeded to ballot a second time.

And on counting the votes, Mr Weakley reported, that neither of the gentlemen had a majority, the number of votes being equal.

The Speaker and members returned to their own chamber.

Message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

The House of Representatives are ready to receive your body for the purpose of counting out the votes for governor, and representatives to congress

In conformity thereto, at a half past twelve o'clock, the Speaker and gentlemen of the Senate retired to the Representatives' chamber to count the votes for governor, and representatives to represent this state in congress

And upon counting the same by the Speaker of the Senate, in the presence and hearing of both Houses of the General Assembly, it appeared, that John Sevier had six thousand seven hundred and eighty votes, and Archibald Roane, esquire, had four thousand nine hundred and twenty three votes for governor—that George W Campbell had nine thousand five hundred and fifteen, William Dickson nine thousand six hundred and eighty two, John Rhea seven thousand three hundred & eighty two votes and John Cocke five thousand five hundred and eleven votes for representatives to represent this state in the Congress of the United States.

Whereupon John Sevier, esquire, was declared by the Speaker of the Senate in the presence of both Houses, to be duly and constitutionally governor.

And George W. Campbell, William Dickson and John Rhea, esquires, were in like manner declared to be duly and constitutionally elected to represent this state in the Congress of the United States.

House then adjourned till three o'clock.

House met according to adjournment.

Message from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

The House of Representatives are ready to receive your body for the purpose of going into the election of a senator to represent this state in the Congress of the United States.

Accordingly at the hour of four o'clock p. m. the Speaker of the Senate with the other gentlemen thereof, retired to the Representatives' chamber for the purpose aforesaid, and after some time spent in balloting, Mr. Weakley from the committee appointed to superintend the balloting, reported, that Mr. Smith had eighteen votes and Mr. Anderson had eighteen votes, and of course neither of the gentlemen were elected.

The Speaker and gentlemen of the Senate then returned back to their own chamber.

On motion of Mr. Taylor, seconded by Mr. Gass,

Resolved, that the resolution which had been ordered to lie on the table till four o'clock this evening, do lie on the table till tomorrow evening four o'clock.

A message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate.

This House have appointed Messrs. Claiborne, Kennedy and Scott, as a committee on their part to wait on his excellency John Sevier, and inform him, that he is elected governor of this state, and request him to inform this Assembly when he will attend for the purpose of being installed.

We have also appointed Messrs. Wharton, Campbell and John Tipton as a committee to wait on George W. Campbell.

bell, William Dickson and John Rhea, esquires, and inform them, that they are elected members of congress to represent this state in the Congress of the United States, and ask your concurrence.

Which being read was agreed to, and the House appointed Mr. Jack on their part to wait on his excellency John Sevier, and inform him of his election, and request him to inform the House when he will attend for the purpose of being installed.

And also, appoint on their part Mr. Rutledge, to wait on George W. Campbell, William Dickson and John Rhea, esquires, to inform them, they are elected members to represent this state in the Congress of the United States.

On motion, it was ordered, that the following message be sent to the House of Representatives.

Mr. Speaker and Gentlemen of the House of Representatives,

The Senate concur with you in appointing a committee to wait on his excellency John Sevier, and inform him of his election as governor, and to request him to inform this General Assembly when he will attend for the purpose of being installed, and nominate on their part Mr. Jack, to act with such gentlemen as you have appointed.

This House, likewise concur with you in appointing a committee to wait on George W. Campbell, William Dickson and John Rhea, esquires, to inform them they are elected to represent this state in the Congress of the United States, and name on their part Mr. Rutledge to act with such gentlemen as you have appointed.

House adjourned till tomorrow nine o'clock.

Thursday, September 22, 1803.

House met according to adjournment.

Ordered, that the following message be sent to the House of Representatives:

Mr. Speaker and Gentlemen of the House of Representatives.

The Senate have received the communications of Mr. Anderson, which have been read, and this House have appointed M^{rs}. Maxwell and and Gas on their part to take the same into consideration with such gentlemen as you have appointed on your part.

On motion of Mr. M^r. Minn, seconded by Mr. Jack, the following message was sent to the house of representatives.

The senate resolve that a joint committee of both houses be appointed to wait on his excellency governor Roane, with a certificate, signed by the speakers of both houses, informing him of the election of George W. Campbell, William Dickson, and John Rhea, esquires, to represent this state in the congress of the United States; and appoint on their part, Mr. Smith to act with such gentlemen as you may appoint on your part, and ask your concurrence.

Received the following message from house of representatives.

Mr. Speaker and Gentlemen of the Senate,

The house of representatives concur with you in appointing a committee to wait on his excellency governor Roane, with a certificate signed by the Speakers, of both houses informing him of the election of George W. Campbell, William Dickson, and John Rhea, esquires, as members to represent this state in the congress of the United States, and name on their part Messrs Ruffel and Samuel Tipton for that purpose. We also send you herewith a certificate signed by the Speaker of this house to be signed by the speaker of your house for that purpose.

The following certificate was signed by the speakers of both houses of the general assembly and sent to his excellency governor Roane by the joint committee of both houses appointed for that purpose.

State of Tennessee,

In General Assembly, Sept. 22, 1803:

We do hereby certify, that on counting the votes for members to represent this state in the congress of the United States, it appears that William Dickson, George W. Campbell, and John Rhea, esquires, are duly and constitutionally elected for that purpose:

JAMES WHITE,

Speaker of the Senate.

JAMES STUART,

Speaker of the House of Representatives.

The senate received the following message from the House of representatives.

Mr. speaker and gentlemen of the senate,

The house of representatives and ready to receive your body, in order to go into the election of a senator to represent this state in the senate of the United States.

Accordingly at the hour of eleven o'clock the speaker and gentlemen of the senate retired to the representatives chamber for the purpose of balloting for a senator to represent this state in the senate of the United States.

And after some time spent therein Mr. Weakley from the committee appointed to superintend the balloting, reported, that Daniel Smith had eighteen votes, and Joseph Anderson had eighteen votes and neither of the gentlemen elected.

The house then proceed to ballot again, and after some time spent therein Mr. Weakley from the committee to superintend the balloting reported, again, that Mr Smith had eighteen votes, and Mr. Anderson had eighteen votes, and neither of the gentlemen were elected.

The speaker and gentlemen of the senate then returned their own chamber.

On motion of Mr. M'Minn, seconded by Mr. Galt, the following message was sent to the house of representatives

Mr. speaker and gentlemen of the house of representatives,

The senate propose the hour of three o'clock this evening, for meeting in the representatives chamber, to proceed again to the election of a senator to represent this state in the senate of the United States, and ask your concurrence,

Message from the house of representatives;

Mr. Speaker and Gentlemen of the Senate,

The house concur with you in meeting in the representatives chamber, this evening at the hour of three o'clock, to proceed to the election of a senator, to represent this state in the senate of the United States.

Mr. Smith, from the committee appointed to wait on his excellency governor Roane, with a certificate, signed by the speakers of both houses, informing him of the election of William Dickson, George W. Campbell, and John Rhea, esquires, to represent this state in the congress of the United States, reported, that the committee had waited on his excellency governor Roane and executed the commission agreeable to a resolution of both houses.

The following message was received from the House of Representatives:

Mr. Speaker and Gentlemen of the Senate,

The House of Representatives, propose that a committee of commerce and manufactures be appointed, and name on their part, Messrs. Scott, Manatee, Kennedy, J. Tipton, Claiborne, and Wynne, to act with such gentlemen as you may name, and ask your concurrence.

Which being read, was concurred with, and Messrs. Doherty, Rutledge, and Maxwell, were appointed a committee of commerce and manufactures, on the part of this house.

The following message was ordered to be sent to the House of Representatives:

Mr Speaker and Gentlemen of the House of Representatives,

The senate concur with you in appointing a committee of commerce and manufactures, and name on their part Messrs. Doherty, Rutledge, and Maxwell to act with such as you have appointed.

The following message was received from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

We herewith send you a resolution which we have this day adopted to which we ask your concurrence.

Resolved by the legislature of the state of Tennessee, that the senators and representatives from this state in the Congress of the United States, be requested to recommend the following amendment to the constitution of the United States.

That is to say,

In all future elections for President and Vice President of the United States, that the electors state for whom they vote as President and for whom they vote as Vice President.

Which being read, on motion of Mr. M'Minn seconded by Mr. Weakley,

Resolved, that this House do agree to the same, and that the following message be sent to the House of Representatives:

Mr. Speaker and Gentlemen of the House of Representatives,

The Senate concur with your resolution, that the senators and representatives from this state in the Congress of the United States, be requested to recommend the following amendment to the constitution of the United States,

That is to say,

In all future elections for President and Vice President,

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the electors shall state for whom they vote to be President and for whom to be Vice President.

House then adjourned till two o'clock in the evening.

Met according to adjournment.

Mr. Maxwell from the committee appointed to take into consideration Mr. Anderson's communications, made the following report :

The committee to whom was referred the communications, together with the papers accompanying the same, of the honorable Joseph Anderson, beg leave to report, that they have examined them and do find the conduct of Mr. Anderson, from the time of the commencement of his official duties to the present day, has been discharged with great ability and usefulness to his country, as far as comes within our knowledge : Therefore,

Resolved, that the thanks of this Legislature be given to Mr. Anderson, expressive of the foregoing opinion.

JAMES MAXWELL,
Chairman of the committee.

Which being read, and a resolution offered, that it be sent to the House of Representatives :

On motion of Mr. Weakley, seconded by Mr. Stewart,
The report of the committee was ordered to lie on table till tomorrow morning, ten o'clock.

A message from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

This House are ready to receive your body for the purpose of going into the election of a senator to represent this State in the Senate of the United States.

Which was read and concurred with.

And the Speaker and Gentlemen of the Senate retired at three o'clock to the Representatives' chamber for the purpose of balloting for a senator.

And after some time spent therein, Mr. Weakley from the committee appointed to superintend the balloting, re-

reported, that Mr. Smith had seventeen votes and Mr. Anderson had nineteen votes, and was duly elected.

Whereupon the Speaker of the Senate, in the presence and hearing of both Houses of the Assembly, declared Joseph Anderson to be duly and constitutionally elected a senator to represent this state in the Senate of the United States.

The Speaker and Gentlemen of the Senate then returned to their own chamber.

Mr. Taylor called for the order of the day, on the resolution for the election of a senator, which had been ordered to lie on the table till four o'clock this evening.

On motion of Mr. Minn seconded by Mr. Weakley, it was ordered to lie on the table till tomorrow ten o'clock.

House adjourned till tomorrow nine o'clock.

Friday, September 24, 1803.

House met according to adjournment.

Mr. Jack from the committee appointed to wait on John Sevier, esquire, governor elect, to inform him he is elected governor; and request him to inform this House when he will attend for the purpose of being installed, reported, that the committee had waited on him accordingly, and that John Sevier, the governor elect informed them he would attend this evening at the hour of three o'clock, in the Representatives' chamber to receive the usual qualifications.

The following message was sent to the House of Representatives :

Mr. Speaker and Gentlemen of the House of Representatives,

The Senate propose that a committee be appointed to wait on the honorable Joseph Anderson, and inform him, that he is elected a senator to represent this state in the Senate of the United States. And also, to announce to his excellency the governor, that the honorable Joseph Anderson

On is elected a senator to represent this state in the Senate of the United States; and nominate Messrs Gass and Rutledge for that purpose on the part of this house to act with such gentlemen as you may appoint, and ask your concurrence.

A message from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

The house of representatives concur with your message in appointing a committee to wait on the honorable Joseph Anderson, and to inform him that he is elected a senator to represent this state in the Senate of the United States, and to announce the same to his excellency the governor; and appoint on the part of this house messrs. Campbell and Snodgrass to act with such gentlemen as you have named.

A message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

The house of representatives propose going immediately into the election of senator to represent this state in the Senate of the United States, from and after third day of March, onethousand eight hundred and five, and beg leave to nominate Daniel Smith and William Cocke as candidates, and ask your concurrence.

Ordered, that the following message be sent to the House of Representatives.

Mr. Speaker and Gentlemen of the House of Representatives,

The Senate concur with your message relative to going into the election of a senator to represent this state in the Senate of the United States in all respects, except the time of the election; and in room thereof propose the hour of twelve o'clock tomorrow, and ask your concurrence.

A message from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

The House of representatives do not concur with your

message for postponing the election of a senator till twelve o'clock tomorrow, but propose taking it up at four o'clock this evening, and ask your concurrence.

Which was read and concurred with, and the following message sent to the House of Representatives.

Mr. Speaker and gentlemen of the House of Representatives,

The Senate concur with your message for going into the election of a senator at four o'clock this evening, and nominate messrs. Gass and Stewart to superintend the balloting.

Received sundry resolutions from his excellency governor Roane, relative to the business committed to the commissioner to North Carolina, which were read and referred to a committee of messrs. Stewart and Taylor on the part of this House, which were ordered to be sent to the House of Representatives, and for the clerk to acquaint them with what order the House has taken on the same.

The following message was received from the House of Representatives :

This House have received the communications from the executive, touching the business of the commissioner to North Carolina, and concur with you in referring the same to a committee, and name on their part messrs. Hall, Snodgrass, Scott, Wharton and Kennedy

A message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

The House of representatives have nominated messrs Russell and Foster to superintend the balloting for a senator to represent this State in the Senate of the United States.

A message from the House of Representatives.

Mr. Speaker and Gentleman of the Senate,

The House of Representatives have appointed messrs. Nelson and B. in the part of this house, as a committee to wait on his excellency governor Roane, and request him

to lay before the legislature such laws as he may have received from other states, and ask your concurrence.

The following message was ordered to go to the House of Representatives:

Mr. Speaker and Gentlemen of the House of Representatives.

The Senate concur with your resolution in appointing a committee to wait on his excellency governor Roane, requesting him to lay before the Legislature such laws as he may have received from other states, and name Mr. Nichols to act with such as you have appointed.

House adjourned till three o'clock this evening.

The house then met according to adjournment.

Ordered, that Mr. Jack be a committee on the part of this house to wait on his excellency governor Roane, and inform him, that the general assembly will proceed immediately to the qualification of the governor elect, and to wait on the honorable Hugh L. White, one of the judges of the superior court, and request him to attend and administer the usual oaths, and that the clerk acquaint the house of representatives therewith, and ask their concurrence.

Message from the house of representatives.

Mr. Speaker and gentlemen of the Senate,

This house concur with you in appointing a committee to wait on his excellency governor Roane, and inform him, this general assembly will proceed immediately to qualify the governor elect, and to wait on the honorable Hugh L. White, and request him to attend and administer the usual oaths, and name on their part messrs. Claiborne, Scott and Snodgrass.

A message from the house of representatives,

That the name of colonel William Cocke be withdrawn as a candidate for senator to represent this state in the Senate of the United States, from and after the fourth day of March, 1805.

The following message was received from the house of representatives.

Mr. Speaker and gentlemen of the Senate.

This house are ready to receive your body for the purpose of installing the governor.

Accordingly at three o'clock, the Speaker accompanied by the members of the Senate repaired to the representatives' chamber, and being seated, his excellency John Sevier, the governor elect appeared, accompanied by his excellency Archibald Roane, and the honorable Hugh L. White, one of the judges of the superior court, and took their seats; the honorable Hugh L. White then arose and administered to his excellency the oath to support the constitution of the U. States also to support the constitution of the state Tennessee, and also the oath of office; after which the Senate returned to their own chamber.

Received the following message from the house of representatives :

Mr. Speaker and gentlemen of the Senate;

The house of representatives are ready to receive your body for the purpose of balloting for a senator.

And at the hour of four o'clock, the Speaker and gentlemen of the senate repaired to the representatives' chamber to ballot for a senator.

And after some time spent therein, mr. Gals from the committee appointed to superintend the balloting, reported, that general Daniel Smith had thirty five. and Jenkin Whiteside had one vote; whereupon the Speaker of the Senate, in the presence and hearing of both houses, declared general Daniel Smith to be duly and constitutionally elected a senator to represent this state in the senate of the United States from and after the third day of March 1805.

The Speaker and Gentlemen of the Senate then repaired to their own chamber.

The house adjourned till tomorrow nine o'clock.

Saturday, September 24, 1803.

The House met according to adjournment.

A message from the House of Representatives.

Mr. speaker and gentlemen of the senate,

We herewith send you sundry documents and correspondences between the governor of this state and the governor of Kentucky, relative to the boundary line; and also the report of the commissioner to said state, relative to the negotiation between this state and Kentucky, which have been read and referred to messrs. Wharton, Kennedy, and Haines.

Which were read and referred to mr. Smith on the part of this house.

Message from the House of Representatives,

Mr. Speaker and gentlemen of the senate,

This house propose that a committee be appointed to wait on general Daniel Smith, and inform him that he is elected a senator to represent this state in the senate of the United States, for the term of six years from the fourth day of March, 1805; we also propose, that the same committee inform the governor thereof, and name on the part of this house messrs Cheatham and Kennor for that purpose.

Which was concurred with, and mr. Maxwell appointed on the part of the senate to attend to the same.

Ordered, that the following message be sent to the House of Representatives,

Mr. Speaker and gentlemen of the house of representatives,

The senate concur with you in appointing a committee to wait on general Daniel Smith, and inform him of his election as senator to represent this state in the senate of the United States, and also to announce the same to the governor; and on the part of this house name mr. Maxwell.

The senate received a communication from Archibald Roane, esquire, late governor, accompanied with a letter

from the President of the United States, relative to the militia system; and also accompanied with sundry resolutions from the State of North Carolina, proposing amendments to the constitution of the United States—which were read and referred to a select committee, consisting of messrs. Stewart and Taylor, and sent to the house of representatives.

The senate received from mr. Weakley, the lists of taxable property within the county of Davidson, for the years 1802 and 1803—referred to the committee of finance and sent to the house of representatives.

Mr. Smith delivered a list of taxable property for the county of Sumner, for the years 1802 and 1803—referred as above.

Mr. Stewart delivered to the senate a list of taxable property in the county of Montgomery, for the years 1802 and 1803—referred to the same committee as above, and sent to the house of representatives.

On motion of mr. Jack, seconded by mr. M'Minn, the following resolution was adopted, and ordered to be sent to the house of representatives :

Resolved, that the governor of this state is hereby requested to transmit copies of the resolution proposing amendments to the constitution of the United States to the senators and representatives of this state in the congress of the United States.

A letter from John Maclin, treasurer of Washington and Hamilton districts, was received from the house of representatives, signifying to both houses of the legislature, that he was ready at any time to settle with the legislature, &c.

A message from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

We herewith send you sundry communications and documents relative to the books and papers in the office of John Carter, former entry taker for Washington county, which we have referred to a select committee, consisting of messrs. Wharton, Martin, Menefee, Scott, Samuel Tipton and John Tipton.

Which were read and referred to messrs. Weakley, Doty, and Rutledge.

We also send you sundry communications which have been received from his excellency governor Ross, relative to the running the boundary line between this State and the commonwealth of Virginia, which have been referred to Messrs. G. L. Johnson, Ketchum, Snodgrass, and Bunch.

Which were read and referred to Messrs. Nichol, Taylor, and Johnson.

Received from the house of representatives a tax list of the county of Wilton, which was read and referred to the committee of finance.

Received from the house of representatives the petition of Samuel M'Corcle and others, inhabitants of Sullivan county, praying relief from the immediate payment of money therein mentioned—Read and referred to the committee of propositions and grievances.

Received from the house of representatives, the petition of sundry inhabitants of Wilton county, praying such relief as therein mentioned—Read and referred to the committee of propositions and grievances.

Received from the house of representatives, a petition from sundry inhabitants of Nashville, praying that the jail of Davidson county may be removed from its present situation, which was read, and referred to the committee of propositions and grievances.

The house then adjourned until to morrow morning nine o'clock.

Monday, September 26, 1803.

The House met according to adjournment.

Mr. M'Minn was appointed Speaker *pro tem.* in the absence of the Speaker of the Senate.

On motion of Mr. Weakley, seconded by Mr. Gads, the following message was sent to the house of representatives:

Mr. Speaker and Gentlemen of the House of Representatives,

The Senate propose to adjourn into the most southern room on the second floor in the United States barracks, and ask your concurrence.

A message from the House of Representatives.

Mr Speaker and Gentlemen of the Senate,

This house agree to your proposition for adjourning to the barracks of the United States.

The senate then adjourned into the most southern room on the second floor of the United States' barracks.

Mr. Maxwell, from the committee appointed to inform General Daniel Smith that he was elected a senator to represent this state in the senate of the United States—

Reported—that the committee have performed the same agreeable to order.

Mr. Taylor presented a petition of sundry persons, praying that John Wilson, junior, may be restored to the privileges of a citizen, which was read and referred to the committee of propositions and grievances, and sent to the house of representatives.

Mr. Gals presented a list of the taxable property for the county of Greene, for the years 1802 and 1803—referred to the committee of finance, and sent to the house of representatives.

Mr. Taylor presented a list of taxable property for the county of Carter, for the years 1802 and 1803, which was referred to committee of finance, and sent to the house of representatives.

Received from the house of representatives, a bill to provide for the election of representatives from this state in the congress of the United States, endorsed, read the first time and passed.

Ordered, that this bill be read, which being read, was passed the first time and sent to the house of representatives.

Mr. Taylor presented a petition of sundry of the inhabitants of Sullivan and Carter counties, praying that a part of the county of Sullivan may be added to the county of Carter, which was read & referred to the committee of propositions and grievances, and sent to the house of representatives.

House adjourned till three o'clock this evening.

Met according to adjournment.

Received from the house of representatives, the resignations of Robert Edmonson and John Wetherspoon, as justices of the peace for the county of Davidson.

Received from the house of representatives, a petition from the commissioners of the town of Nashville praying that the public jail in said town may be removed from its present situation, which was read, referred to the committee of propositions and grievances.

Received from the house of representatives, a petition of John Boyd, sheriff of Davidson county, praying compensation for sundry services and monies laid out for the use of the state which was read and referred to the committee of claims.

Received from the house of representatives, the petition of Richard Boyd, jailor of Mero district, praying compensation for certain monies laid out and advanced in behalf of the state, which was read, referred to the committee of claims.

The house then adjourned till to morrow morning nine o'clock.

Tuesday, September 27, 1803.

House met according to adjournment.

Received the following message from house of representatives,

Mr. Speaker and Gentlemen of the Senate,

This house propose, that a committee of revisal and unfinished business be appointed, and name on their part messrs. Folter, Nelson, Harmon, Kennor, Haines and Kennedy for that purpose.

Which was read and non concurred with, and the following message was sent to the house of representatives:

Mr. Speaker and Gentlemen of the House of Representatives,

The senate do not concur with your proposition for appointing a committee of revisal and unfinished business.

Received from the house of representatives the report of the committee appointed to enquire into the situation of the secretary's office, in the following words:—

The committee appointed to examine into the situation of the books and other documents belonging to the secretary's office of this state, report, that the same is in neat and correct order as far as they can judge.

R. C. FOSTER, C. C.

Which was read and concurred with.

A message from the House of Representatives,

Mr. Speaker and gentlemen of the senate,

This house propose going into the election of a secretary of this state, tomorrow at ten o'clock, and nominate William Maclin, esquire, to fill that office; we have appointed Messrs. Foster and Russell to superintend the balloting on the part of this house.

Which was read and concurred with, and the following message was sent to the house of representatives —

Mr. Speaker and Gentlemen of the House of Representatives,

The senate concur with your proposal for going into the election of secretary of state, and appoint on the part of this house, Messrs. M'Minn and Doherty to superintend the balloting.

A message from the House of Representatives:

Mr. Speaker and Gentlemen of the Senate,

This house are ready to receive your body in order to go into the election of a secretary of state.

The speaker and gentlemen of the senate retired to the representatives' chamber and proceeded to ballot for a secretary of state, and after some time spent therein, Mr. M'Minn from the committee appointed to superintend the balloting, reported that William Maclin had thirty three votes, and was duly elected.

Whereupon the speaker of the senate announced in the presence and hearing of both houses that William Maclin

was duly and constitutionally elected secretary of state for this state.

The senate then retired to their own chamber.

Received from the house of representatives the following report—

Mr. Menefee, from the committee appointed to report what bills of a public nature are necessary to be passed into laws during the present session, made the following report:

The committee to whom was referred the reporting of such bills of a public nature as ought to be passed into laws at this session of the legislature, beg leave to report, that it would be proper that bills should be brought in, to wit: for the punishment of the crime of counterfeiting or uttering any of the foreign gold or silver coins, current in the state of Tennessee; for the amendment of the revenue law of this state; for the prevention of stud horses and colts running at large; and also to amend the court system; and beg leave to sit again.

JOHN MENEFFEE, C. C.

Which report being read was concurred with.

A petition from sundry inhabitants of Carter county, praying certain alterations in the land law of the state, was read, referred to the committee of propositions and grievances and sent to the house of representatives.

A petition from sundry inhabitants of Washington county, praying that the laws respecting justices of the peace should be amended, and for other purposes, was read and referred to the committee of propositions and grievances and sent to the house of representatives.

Received from the house of representatives, the petition of sundry inhabitants on Harpeth river, Mero district, praying that a new county within the bounds therein mentioned, may be laid off, read and referred to the committee of propositions and grievances, and sent back to the house of representatives.

Also, received from the house of representatives a petition of sundry inhabitants of Mero district, praying that the foregoing petition be not granted, read, referred to the committee of propositions and grievances and sent back to the house of representatives.

The following message was sent to the House of Representatives :

Mr. Speaker and gentlemen of the house of representatives,

The senate do not concur with you in referring the petition of sundry inhabitants of Mero district to a select committee, but propose to refer the same to the committee of propositions and grievances.

Mr. Maxwell, from the committee of propositions and grievances, made the following report—

The committee to whom was referred the petition of Mathew Brooks, of Davidson county, praying that he may be granted the privilege of having a ferry on Cumberland river, near Waynesborough, report, that the same is unreasonable and ought not to be granted.

The committee to whom was referred the petition of sundry inhabitants of the town of Nashville, praying the removal of the jail of Mero district, report, that the same is reasonable and ought to be granted.

The committee to whom was referred the petition of Robert Searcy and B. J. Bradford, praying that commissioners may be appointed for the purpose of fixing on a more eligible place for the purpose of building a jail, report, that the same is reasonable and ought to be granted.

The committee to whom was referred the petition of John Scott and others, securities for Francis Gains, sheriff of Sullivan county, praying time to be granted them for the collection of the public taxes, due by the said Francis Gains, sheriff, &c. report, that the same is reasonable and ought to be granted.

The committee to whom was referred the petition of John Willon, jun. of Carter county, who was charged with felony, praying that he may be reinstated to the privileges of a citizen, report, that the same is unreasonable and ought not to be granted.

The said reports being read, was concurred with.

House then adjourned till four o'clock.

Met according to adjournment.

The house adjourned till tomorrow nine o'clock.

Wednesday, September 28, 1803.

Met according to adjournment.

A petition of a number of persons of Davidson county, praying, that no new county may be formed on the waters of Harpeth river, was presented by Mr. Weakley, read, and referred to the committee of propositions and grievances, and sent to the house of representatives.

On motion of Mr. Jack, seconded by Mr. M^cMinn, the following message was sent to the house of representatives:

Mr. Speaker and gentlemen of the house of representatives,

Mr. Speaker and Gentlemen of the House of Representatives,

The senate propose that a committee be appointed to examine and collate the laws of the state of Tennessee, lately published by George Roulstone, printer, with the original rolls remaining in the secretary's office, and make report, that measures may be taken to authorize the same to be read as authority in the several courts of this state, and appoint on our part Mr. Stewart, to act with such gentlemen as you may appoint.

Ordered, that the following message be sent to the senate,

Mr. Speaker and Gentlemen of the Senate,

The house concur with you in appointing a committee to compare the laws lately published by George Roulstone, with the original rolls in the secretary's office, and make report, in order that this legislature may take the proper steps to have the said publication read in the several courts as authority, and name on our part messrs. Wharton and Russell.

On motion of Mr. Gass, seconded by Mr. Rutledge, the following message was sent to the house of representatives,

Mr. Speaker and Gentlemen of the House of Representatives:
The senate propose that a committee be appointed to examine engrossed bills, and name for that purpose Mr. Jackson on the part of this house.

The following message was received from the House of Representatives:

Mr. Speaker and Gentlemen of the Senate,

This house concur with you in appointing a committee to examine engrossed bills, and name on our part Messrs. Hall and Kennedy.

The senate received the following message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

This house concur with you in referring the petition of sundry of the inhabitants of Mero district to the committee of propositions and grievances, in room of referring the same to a select committee, as at first proposed.

Received from the house of representatives, the petition of sundry persons, praying that Gasper Lott, a free man of colour, may be admitted to certain privileges named in said petition, which was read, referred to the committee of propositions and grievances.

Received from the house of representatives, a bill to provide for the election of representatives from this state in the congress of the United States, and for other purposes.

Ordered to be read, which being read in this house, and on motion of Mr. McMin was withdrawn for amendment.

Received from the house of representatives, a petition from sundry inhabitants of Montgomery county, praying that the same may be circumscribed to its constitutional limits—which was read, and referred to the committee of propositions and grievances.

The following message was ordered to be sent to the House of Representatives:

Mr. Speaker and gentlemen of the senate,

This house have some communications to make of great

importance, the nature of which renders it necessary for us to attend in a body in the senate chamber, and request you to inform us when it will be convenient for you to receive us.

Ordered, that the following message be sent to the House of Representatives:

Mr. Speaker and Gentlemen of the House of Representatives,

The senate will receive your body for the purpose of receiving your communications alluded to in your message this day at twelve o'clock.

At the hour of twelve o'clock, the speaker and gentlemen of the house of representatives appeared at the bar of the senate, when on motion of Mr. Weakley, seconded by Mr. Jack, the house was cleared of by standers, and the doors shut:

When Mr. Kennedy, on behalf of the house of representatives, addressed the senate as follows:

Mr. Speaker and Gentlemen of the Senate,

The house of representatives in their own name and in the name of all the people of the state of Tennessee, impeach David Campbell, esq. one of the judges of the superior courts of law and courts of equity of the state of Tennessee, for high crimes and misdemeanors by him committed in his official capacity, and the said house of representatives will exhibit articles of impeachment against the said David Campbell, and make good the same in due time.

To whom the speaker of the senate replied, that the senate will pay due attention to the same when exhibited before this house.

On motion of Mr. M'Minn, seconded by Mr. Rutledge, it was ordered to be entered on the journal, that William Melin, esq. secretary of state, appeared in the senate with a commission, whereupon James White, esq. administered the necessary oaths in presence of the senate—the secretary produced his bond, which was acknowledged by himself and securities, and the same was placed in the

hands of the speaker of the senate, and ordered to be by him deposited in the office directed by law.

On motion of mr. Jack, seconded by mr. M'Minn, it was resolved, that a summons do issue from the senate, signed by the speaker of the senate, and attested by the clerk, directed to Thomas M'Corry, serjeant at arms, in the words following, viz.

STATE OF TENNESSEE,

To THOMAS M'CORRY, serjeant at arms, for the Senate
of the state of Tennessee, Greeting—

Whereas the house of representatives of the state of Tennessee, in the name of themselves and the good people of the state of Tennessee, have impeached David Campbell, esquire, one of the judges of the superior court of law and equity, for said state, of high crimes and misdemeanors, at the bar of the senate, on this day :

You are, therefore, hereby commanded, to summon the said David Campbell, esquire, one of the judges of the superior courts of law and equity, to appear before the bar of the senate of the state of Tennessee, on Monday next, at twelve o'clock, then and there to answer such articles of impeachment, as shall be then exhibited against him, by the house of representatives of the state of Tennessee, and then and there to abide by, obey, and perform such orders and judgments as the senate of the state of Tennessee shall make in the premises, according to the constitution and laws of the state. And herein you are in no wise to fail.

Witness, James White, speaker of the senate of the state of Tennessee, at Knoxville, the twenty eighth day of September, one thousand eight hundred and three.

JAMES WHITE,
Speaker of the Senate

Attest,

JAMES TREMBLE,
Clerk of the Senate

Thomas M'Corry, who was appointed and invested with the authority of serjeant at arms, during the pleasure of the senate, to execute the commands of the senate, and such process as shall be directed to him by the speaker of the senate, appeared, and was qualified accordingly.

On motion of mr. Jack, seconded by mr. M'Minn,
Ordered, that the clerk inform the house of representatives that the senate have issued their subpoena, signed by the speaker of the senate, and attested by their clerk, directed to the serjeant at arms, commanding him to summon David Campbell, esq. one of the judges of the superior courts of law and equity, to appear before the bar of the senate, on Monday next, at twelve o'clock, to answer the articles of impeachment by them to be exhibited.

And also to request permission of the house of representatives for the senate to meet in their chamber for the purpose of trying said impeachment.

The house then adjourned till three o'clock this evening.

Met according to adjournment.

Received from the house of representatives a petition from sundry inhabitants of Greene county, praying, to be relieved from the taxes laid for the purpose of hiring a solicitor, which was read and referred to the committee of propositions and grievances.

Received from the house of representatives, a presentment of the grand jury of Greene county, complaining of the court of Greene, for appropriating a sum of money therein mentioned to the hiring of a solicitor, which was read and referred to the committee of propositions and grievances.

Received from the house of representatives the resignation of William Davidson, as a justice of the peace for Blount county—read and received.

Received from the house of representatives the resignation of Andrew Thompson, as a justice of the peace for Blount county—also the resignation of Andrew Miller and James M'Ginly, as justices of the peace for Blount county.

On motion, it was resolved, that a subpoena do issue, signed by the speaker, attested by the clerk, directed to the

Sergeant at arms, commanding him to summon on behalf of David Campbell, esq. one of the judges of the superior courts of this state, Charles Wright, David Campbell, John Hillsman, Chas. M'Clung & John Love to appear at the bar of the senate on Monday next, at twelve o'clock, to give evidence on behalf said David Campbell, esq. on the impeachment exhibited against him by the house of representatives.

Received from the house of representatives, a petition of sundry inhabitants of Robertson and Montgomery counties, praying for a new county to be laid off—read and referred to the committee of propositions and grievances.

The resignation of John Collier, as a justice of the peace for Greene county, and of Ilham Guinn, as a justice of the peace for the county of Sevier, were received and sent to the house of representatives.

The House adjourned until to morrow nine o'clock.

Thursday, September 29, 1803.

The house then met according to adjournment.

Mr. Maxwell, from the committee of propositions and grievances, reported as follows :

The committee to whom was referred, the petition of a number of inhabitants of Greene county, praying that a law may be passed for the government of the county courts—

Report, that the same is reasonable and ought to be granted.

The petition of Gasper Lott, a free man of colour, praying to have leave to prove his accounts, as other free citizens,

Report, that the same is reasonable and ought to be granted.

JAMES MAXWELL,
Chairman of the committee.

Which was read and concurred with, and sent to the house of representatives.

The following message was received from the house of representatives,

Mr. Speaker and Gentlemen of the Senate,

This House concur with you in going into the trial of David Campbell esq. one of the judges of the superior courts of law and equity, on Monday next, and have no objection to your sitting in their chamber for that purpose.

Received from the house of representatives the probate of William Davidson, as a witness in the suits the state against Luke Matheny, one for nine day's attendance, the other for five days, which were read and referred to the committee of claims.

Received a list of the taxable property for the county of Knox, for the years one thousand eight hundred and one, one thousand eight hundred and two, and one thousand eight hundred and three, referred to the committee of finance and sent to the house of representatives.

Received from the house of representatives a petition of sundry persons, praying, that the legislature may pass a law, enabling the county court of Smith to reimburse Willis Jones for money by him expended, while running the lines between the counties of Jackson, Smith and Wilson, read and referred to the committee of propositions and grievances.

The house adjourned till three o'clock, this evening.

Met according to adjournment.

Mr. M'Minn, who withdrew the bill providing for the election of representatives of this state in the congress of the United States, and for other purposes, returned the same.

Ordered, that this bill be read, which was read the second time, amended, and passed, and sent to the house of representatives.

Received from the house of representatives a list of taxable property for the county of Smith, for the year one thousand eight hundred and one, and one thousand eight hundred and two, referred to the committee of finance.

Received from the house of representatives, a bill authorizing

rising the county court of Sevier county, to levy taxes for the purpose of procuring a standard of weights and measures.

Ordered, that this bill be read, which being read was passed the first time, and sent to the house of representatives.

Mr. Taylor moved for leave and presented a bill restoring John Wilson, jun. to his former privileges and abilities as therein mentioned—which was read the first time & passed.

The following message was received from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

This house have appointed Messrs. Wharton, Kennedy, and Claiborne, to conduct their impeachment against David Campbell, esq. one of the judges of the superior court of law and equity.

House adjourned till tomorrow nine o'clock.

Friday, September 30, 1803.

House met according to adjournment.

Ordered, that the following message be sent to the House of Representatives,

Mr. Speaker and Gentlemen of the House of Representatives,

The senate have appointed messrs. Weakley, Doherty, and Rutledge, on the part of this house, to take into consideration the communications of governor Roane, respecting the papers and books of Carter's office; we have also appointed messrs. Nichols, Taylor and Stewart, to take into consideration the communications respecting the Virginia line.

Received from the house of representatives, a bill restoring John Wilson, jun. to his former privileges and abilities, as therein mentioned, which was read the second time and passed—which was read the second time and passed.

Received from the house of representatives, a list of taxable property for Williamson county, for the years 1802 and 1803—referred to the committee of finance.

Received from the house of representatives a list of taxable property within the county of Washington, for the year one thousand eight hundred and three, referred to the committee of finance.

A message from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

We herewith send you sundry papers relative to the business of Carter's office, which we have referred to the committee who have that business under consideration.

On motion Mr. Jack, seconded by Mr. Smith,

Ordered, that these papers be read, which were read and referred to the committee formerly appointed on the part of this house, to take into consideration the papers on that subject.

Mr. Maxwell, from the committee of propositions and grievances, made the following reports, which were read and concurred with:

The petition of a committee of Carter county, praying that scire facias shall not issue the first time against jurors who do not attend when summoned; report, that the same is unreasonable and ought not to be granted; also, that the petition of the afore said committee, praying that a single justice of the peace may have cognizance of all causes, to the amount of fifty dollars, whether brought for a specific sum of money or specific articles, is unreasonable and ought not to be granted, inasmuch as there is a law embracing that object. That the petition of a number of the justices of the peace for Smith county, praying, that a law might be passed authorising the county court of Smith, to reimburse the money expended by Willis Jones, who was appointed last session of the legislature to run the lines between the counties of Smith, Wilton and Jackson, is reasonable and ought to be granted. That the petition of sundry inhabitants of Harpeth river, praying that a new county be granted to them, is unreasonable and ought not to

be granted. That the petition of sundry inhabitants Mero district, praying, that a new county may not be laid off on Harpeth river is reasonable and ought to be granted. That the petition of a number of inhabitants of the west end of Montgomery county, praying for a new county to be granted them, therein discribed, is reasonable and ought to be granted. That the petition of a number of inhabitants of Robertson and Montgomery counties, praying a new county to be granted them, as therein described, is reasonable and ought to be granted.

- JAMES MAXWELL, C. C.

Received from the house of representatives, bill to provide for the election of a President and Vice President of the United States.

Ordered that this bill be read, which being read was passed the first time, and sent to the house of representatives.

Received from the house of representatives the following message,

Mr. Speaker and gentlemen of the senate,

We herewith send you the communication of his excellency Governor Roane.

On motion mr. Weakley, ordered, that the same be entered on the journals, as follows :

Mr. Speaker and Gentlemen of the Senate, and

Mr. Speaker and Gentlemen of the House of Representatives,

YOU have been selected by your fellow citizens, and are assembled agreeably to the constitution, for the important purpose of promoting the general welfare of the State ; to redress public grievances if any such exist ; and to make laws calculated to secure the blessings of liberty and advance the happiness of the people, will, to you be a pleasing employment.

Blessed as we are with fertility of soil, with a population encreasing in numbers, industry, and enterprise—favored by heaven with peace and tranquility, and a variety of resources, an upright and intelligent administration superintending the political interests of the United States, every

heart ought to expand with gratitude to our Supreme Benefactor. And while the nations of Europe are again plunging into the horrors of war, let us diligently attend to the amelioration of our internal civil polity, to the due administration of justice, the increase of science, and the cultivation of the moral and social virtues; and also, to removing the obstructions in our rivers, improving our roads, and every other mean which may tend to facilitate commercial intercourse, promote our agricultural interests, and encourage useful manufactures.

Since the last session, we experienced some embarrassment in trade, by an unjustifiable denial of the right of deposit at New Orleans as stipulated by treaty. But the prompt, firm and prudent measures adopted by the national government, have been effectual. Those embarrassments are removed and we are secured against any danger which might hereafter arise from the same cause. It is understood that a treaty has been concluded, by which New Orleans and its dependencies and the extensive and fertile province of Louisiana will be possessed by the United States. As this treaty was signed on the 30th of April last, to be ratified in six months from the date, the President has by proclamation, required the members of congress to convene on the 17th of October next.—The business is important to the United States, particularly to the Western Country, and we ought to be fully represented. It will therefore be necessary to elect a Senator at an early period of the session; as the time of service of one of our Senators has expired.

The important business assigned me by the legislature at their last session, has been duly attended to, and transacted in the manner my best-judgment dictated.—The boundary line has been extended between this state and the commonwealth of Virginia. The books of the military land office, and those of Adair's and Harden's offices, have been copied, examined and deposited as directed by law. The circumstances which induced me not to proceed in directing a copy to be made of the papers in Carter's office, will be the subject of a separate communication. The act authorising the opening and repairing the road from Hamilton district to the district of Mero has been carried into effect within the time limited, and a licence for erecting a turnpike has

added. Copies of the resolution respecting the road to Georgia have been transmitted to our Senators and Representative in congress, and to the executive of each of the states of Georgia and Kentucky. The consent of the Indians has not yet been obtained, but we have every reason to expect that the measures adopted, will, in a short time be successful.

The memorial of the legislature was laid before the Executive Magistrate of Kentucky, by a commissioner appointed for that purpose, but has not been attended with success. With regret I have to add, that the commissioner to North Carolina has also failed to accomplish the object of his mission. The papers on these and some other subjects will be laid before you as soon as they can be properly arranged.

The situation of our landed property will probably engage your attention; and as copies of the records and documents from N. Carolina have not been procured and the dispute respecting our right to the vacant and appropriated lands is not yet decided it will be proper to take a retrospective view of the principles on which the legislature have heretofore acted, and if it should still be thought advisable to proceed on the same principles, it will be important to examine the laws heretofore passed on that subject and endeavour to close every avenue to fraud, which may be found. I have been induced to recommend this measure, because a difference of opinion prevails as to the construction of some parts of those laws.

The time fixed for the election of President and Vice President of the United States will arrive before your next stated session. It will be necessary to provide for the choice of electors by dividing the state into five districts or in such other manner as you may think proper.

It has always appeared to me more consistent with the principles of republicanism that Representatives to Congress should be elected by districts than by a general ticket and as the causes which operated in favor of a general ticket have been removed permit me to recommend the subject to your consideration.

The laws of the United States passed at the two last sessions of congress, have not arrived here. Those of the former session were sent by the way of Pittsburgh, and

have not been able to trace them any further. It is probable, those of the last session will soon arrive. No legislative provision has yet been made to direct the mode of distribution of those laws, so that every part of the state may have an equal opportunity of information.

Several of the states have adopted the measures of sending a copy of their laws to every other state. The late laws of eight or nine states have been received and ought to be preserved for the use of the legislature. Some of those states request a copy of the laws of Tennessee; but as all the copies ordered to be printed, were distributed in the state, I could not comply with the request.

Any papers or information which you may require, shall cheerfully be furnished, as far as is in my possession or power.

I have briefly stated these subjects, omitting the reasons which might be adduced in support of my opinion.—Other matters might be noticed which will probably come before you in the ordinary course of legislation, but when I reflect that to you gentlemen, this trust is committed I deem it unnecessary.

In the faithful discharge of your duties as legislators you may expect to meet with a pleasing reward in the approbation of your fellow citizens. But even if that should, for a time be withheld, the consciousness of having endeavoured by your conduct to merit it, will be a higher, more permanent and more pleasing reward.

ARCHIBALD ROANE.

Knoxville, 20th of September. 1803.

On request of David Campbell, esq. by the serjeant at arms, it was ordered, that the names of Robert Houston and Charles McClung be added to those who were formerly inserted in a subpoena, and ordered to be summoned to appear on behalf of David Campbell, esquire, and give evidence on the trial of his impeachment.

Received from the house of representatives the following message :

Mr. Speaker and gentlemen of the Senate,

This house have appointed Messrs. Hall, Martin, Lillard, Russell, John Tipton, and Campbell, a committee to en-

quire what amendments are necessary to the militia law of this state.

The following message was sent to the House of Representatives:

Mr. Speaker and gentlemen of the house of representatives,

The senate concur with you in appointing a committee to enquire what amendments are necessary to the militia law of this state, and name on the part of this house messrs. McMin, Jack and Weakley, to act with such gentlemen as you have appointed.

Received from the house of representatives a bill authorising the court of Davidson county to enlarge and extend the bounds of the jail of said county.

Ordered, that the bill be read, which was read the first time and passed.

Received from the house of representatives, the petition of a number of the citizens of Wilson county, praying, that they may have their county made constitutional, read and referred to the committee of propositions and grievances.

House then adjourned till three o'clock in the evening.

Met according to adjournment.

The following message from the house of representatives, which had been ordered to lie on the table, was now called for.

Mr. Speaker and Gentlemen of the Senate,

This house have entered into the following resolutions, to which they ask your concurrence :

Resolved, That all committees shall have power, when matters of fact are necessary to be enquired into, to call upon witnesses to attend and give evidence, in order to enable them to report truly and satisfactorily touching the business to which committed, which testimony so taken shall be returned with the report.

The following message was ordered to be sent to the House of Representatives:

Mr. Speaker and Gentlemen of the house of representatives,

The senate do not concur with your resolution respecting all committees having power to call on witnesses, when matters of fact are necessary to be enquired into, &c: but propose that the committee to whom is referred the investigation of the books and papers formerly in the office of John Carter, have power to call on such witnesses as in the opinion of the committee may tend to throw light on the subject, and return the testimony so taken with the report.

House then adjourned until tomorrow morning nine o'clock.

Saturday, October 1, 1803.

The House met according to adjournment.

On motion of mr. Weakley, seconded by mr. Jack,

Ordered, that the following message be sent to the House of Representatives,

Mr. Speaker and gentlemen of the house of representatives,

The senate propose to encrease the joint committee, appointed to take into consideration the papers and books of Carter's office, and name messrs. Gass, Jack and Smith, on the part of this house.

Message from the house of representatives.

Mr. Speaker and Gentlemen of the Senate,

This house concur with you in encreasing the joint committee appointed to take into consideration the books, papers, &c. of Carter's office, and have on our part added mr. Hall to that committee.

Received from the house of representatives a bill for the relief of Gasper Lott.

Ordered that this bill be read, which being read the first time was passed and sent to the house of representatives.

Received from the house of representatives, a bill to amend an act, entitled, an act to establish a college, and incorporate the trustees thereof, in the county of Davidson.

Ordered to be read, which was read the first time, passed, and sent to the house of representatives.

Received the following message from house of representatives,

Mr. Speaker and Gentlemen of the Senate,

This house have resolved, that the committee of finance be directed to settle with the treasurers of Washington, Hamilton and Merio districts, and report on or before Thursday next; we have added messrs. Russell and Kennedy to said committee.

Received from the house of representatives a petition of sundry persons within Davidson and Williamson counties, praying for a new county to be laid off as therein mentioned, read and referred to the committee of propositions and grievances.

The house then adjourned till three o'clock this evening.

Met according to adjournment.

And then adjourned till Monday next, nine o'clock.

Monday, October 3, 1803.

The house met according to adjournment.

Mr. Weakley presented the petition of sundry inhabitants in the neighborhood of Nashville, praying relief from a bye law of said town, which was read, referred to the committee of propositions and grievances and sent to the house of representatives.

Received from the house of representatives, a bill authorizing the court of Davidson county, to extend and enlarge

the bounds of the jail of said county—which was ordered to be read, and was read the second time, and on motion of mr. Weakley was withdrawn for amendment.

Received from the house of representatives, a bill to divide the county of Montgomery, and form a new county out of the lower part thereof, which was ordered to be read, and was read the second time, amended and passed, and sent to the house of representatives.

Ordered, that the following message be sent to the House of Representatives:

Mr. Speaker and Gentlemen of the House of Representatives,

The senate concur with your proposed resolution, that the committee of finance be directed to settle with the treasurers of Washington, Hamilton, and Mero districts, but do not agree that the said committee be directed to report on or before Thursday next.

We concur with your addition to said committee, and add on the part of this house, mr. Rutledge to said committee.

Received from the house of representatives, the resignation of James Rice, as a justice of the peace for Sumner county, which was accepted.

Received from the house of representatives the petition of William King, an inhabitant of Washington county, Virginia, praying a law to be passed, for erecting a lock in the North Fork of Holston river, at Ross's iron works.—read and referred to the committee of propositions and grievances.

Received the following message from house of representatives,

Mr. Speaker and Gentlemen of the Senate,

This house have come to the following resolution, to which we ask your concurrence.

Resolved, that the managers of the impeachment against David Campbell, one of the judges of the superior courts of law and equity in this state, be authorized and instructed to employ an attorney before the bar of the senate, in support

of the aforesaid impeachment, provided they do not give a larger sum than fifty dollars.

To which the senate sent the following answer,

Mr Speaker and Gentlemen of the House of Representatives,

The senate do not concur with your resolution for instructing the managers of the impeachment against Judge Campbell to employ counsel to appear before the senate, as the senate conceive it is the province of the house of representatives to conduct the same as they think proper.

The managers appointed to conduct the impeachment against David Campbell, one of the judges of the superior court of law of this state, appeared at the bar of the senate, and exhibited the following articles in maintainance of their impeachment against him.

A R T I C L E S,

Exhibited by the house of representatives of the state of Tennessee, in the name of themselves and of all the people of the state of Tennessee, against David Campbell, esquire, in maintainance of their impeachment for high crimes and misdemeanors—

That whereas the office of judge of the superior courts of law and equity, in and for the state of Tennessee, is an office of the highest dignity and trust, upon the impartial and uncorrupt execution of which the safety and welfare of the citizens of the state greatly depend—And whereas David Campbell, esquire, in the month of September, one thousand seven hundred and ninety seven, was duly elected by the general assembly of the state of Tennessee, and regularly commissioned by his excellency John Sevier, then governor, captain general, &c. in and over the state of Tennessee, one of the judges of the superior courts of law and equity, in and for the state of Tennessee, and did thereupon take the oaths required by law for the due execution of that high office, whereby he did solemnly swear, that he would well and truly serve the state of Tennessee in the office of judge of the superior courts of law and equity for the said state; that he would do equal law and right to all persons rich and poor, without having regard to any per-

son; that he would not wittingly or willingly take by himself, or by any other person, any fee, gift, gratuity, or reward whatever, for any matter or thing by him to be done by virtue of his office, except the salary by law appointed; that he would not maintain by himself, or by any other, privately or openly, any plea or quarrel depending in any of the said courts; that he would not delay any person of common right by reason of any letter or command from any person or persons in authority to him directed, or for any other cause whatsoever, and in case any letters or orders come to him contrary to law, he would proceed to enforce the law, such letters or orders notwithstanding; that he would not give his voice for the appointment of any person to be clerk of any any of the said courts, but such of the candidates as appeared to him sufficiently qualified for that office, and in all such appointments he would nominate without reward, the hope of reward, prejudice, favor, partiality or any other sinister motive whatsoever; and finally, in all things belonging to his office, during his continuance therein, he would faithfully, truly and justly, according to the best of his skill and judgment, do equal and impartial justice to the public and to individuals; and such other oaths as are required by law. And the said David Campbell esq. at the times herein after mentioned, continued in the said high office, and yet continues to hold the same. And the said David Campbell, during all the time that he has continued one of the judges of the superior courts of law and equity, in and for the state of Tennessee, enjoyed all the salary, privileges, and emoluments by law allowed to him as such: yet the said David Campbell, not being satisfied with the said salary, privileges, and emoluments, nor regarding the obligations of his oath, or the duties of his high and important office, but entertaining wicked and corrupt designs and views, to procure to himself gain and profit, by the corrupt and unjust methods herein after mentioned, whilst he continued in the said office of judge of the superior courts of law and equity in and for the state of Tennessee, did illegally and corruptly take and receive to his own private use, the following or some other sums of money, or quantity of property.

A R T I C L E . I .

That a long time previous to the month of September in the year one thousand eight hundred and one, Thomas Hutchings caused two actions of ejectment to be commenced in the superior court of law and equity, for the district of Hamilton, in the state of Tennessee, on the law side of the said court, in the name of John Den, on the demise of Thomas Hutchings, against James Miller, to recover the possession of two tracts of land, situate in the county of Knox, in the said district of Hamilton, which tracts of land, or parts of which, were supposed to be in the possession and occupation of said James Miller, and to which said Thomas Hutchings claimed title, which said actions of ejectment were depending in said court during the months of September, October, November, and December in the year last mentioned, and during the months of January, February, and March, in the year one thousand eight hundred and two and for a long time before and since, and undetermined ; and the said David Campbell, esquire, after said actions of ejectment were commenced, and during the time they were depending in said court, and undetermined, then being one of the judges of the superior courts of law and equity, for the state of Tennessee, of which the said superior court of law and equity for Hamilton district is one, on or about the twenty ninth day of said month of September, one thousand eight hundred and one, did by colour of his office of judge of the superior courts of law and equity in and for the state of Tennessee, illegally and corruptly, accept of, take, and receive of and from the said James Miller, the sum of fifty dollars, or some other large sum of money, as a fee, gift, or reward, for giving his opinion as one of the judges of the superior courts of law and equity, for the state of Tennessee, in favor of the said James Miller, on the trial of said actions of ejectment, and doing all in his power, on the trial of said actions of ejectment, to the intent that they should be determined in favour of the said James Miller ; in consideration of which sum of money, said David Campbell, esquire, then being one of the judges aforesaid, then did illegally and corruptly promise the said James Miller, that he, as one of the judges of the said superior courts, &c. would give his opinion in fa-

vour of said James Miller, on the trial of said actions of ejectment, and do all in his power to have them determined in favour of the said James Miller; and the said David Campbell, being one of the judges of the superior courts of law and equity for the state of Tennessee as aforesaid, afterwards, and whilst said actions of ejectment were depending in said courts, in pursuance and execution of said wicked, illegal and corrupt bargain, or in pursuance of some other bargain or agreement of the same infamous and corrupt nature, did give his opinion in favour of said James Miller on the trial of said actions of ejectment, and do all in his power to have said actions determined in favour of said James Miller, in breach and violation of his oath as one of the judges of the superior courts of law and equity in and for the state of Tennessee, and of the great trust reposed in him, contrary to the duties of his office, and against the laws and statutes of the state.

ARTICLE II.

That the said David Campbell, esq. after the said actions of ejectment were commenced in said superior court of law and equity for the district of Hamilton, and during the time they were depending in said court and undetermined, then being one of the judges of the superior courts of law and equity in and for the state of Tennessee, of which the said superior court of law and equity for the district of Hamilton is one, on or about the twentieth day of February, in the year one thousand eight hundred and two, did by colour of his office of one of the the judges of the superior courts of law and equity in and for the state of Tennessee, illegally, corruptly, and extortionally insist upon, take and receive of and from the said James Miller, a certain forreling, or some other quantity of property, as a fee, gift or reward for giving his opinion in favour of said James Miller, on the trial of said actions of ejectment; and to the intent that he would do every thing in his power to have said actions of ejectment determined in favour of said James Miller, which said David Campbell then was one of the judges of the said superior courts of law and equity in and for the state of Tennessee, promised the said James Miller to do in consideration of the said forreling horse, or other

Quantity of property, in breach and violation of his oath as one of the judges of the superior courts of law and equity in and for the state of Tennessee, and of the great trust in him reposed, contrary to the duties of his office, and against the laws and statutes of the state.

And the house of representatives of the state of Tennessee, by protestation, saving to themselves the liberty of exhibiting at any time hereafter, any further articles, or other accusation or impeachment against the said David Campbell, and also replying to his answers which he shall make out unto the said articles, or any of them, and offering proof to all and every the aforesaid articles, and to all and every other articles of impeachment or accusation which shall be exhibited by them, as the case shall require, do demand, that the said David Campbell may be put to answer the said crimes and misdemeanors, and that such proceedings, examinations and trials, and judgments may be thereupon had and given as are agreeable to law and justice.

Signed by order and in behalf of the house of representatives of the state of Tennessee.

JAMES STUART,

Speaker of the house of representatives.

Attest,

EDWARD SCOTT,

Clerk of the house of representatives.

On motion mr. Jack, seconded by mr. M'Minn,

It was resolved, that each member of the senate shall, before the senate proceed to the trial of David Campbell, esq. &c. on the articles of impeachment exhibited by the house of representatives of the state of Tennessee against him, take the following oath, before one of the judges of the superior courts of law and equity in and for the state of Tennessee, or some justice of the peace, viz.

I, A. B. do swear or affirm, that I will well and truly try the impeachment against David Campbell, one of the judges of the superior courts of law and equity, in and for the state of Tennessee, and a judgment give thereon agreeable

to the constitution of the state of Tennessee, according to my best judgment and abilities.

At the hour of one o'clock, the speaker and gentlemen of the senate retired from the senate chamber to the chamber of the house of representatives, to form themselves into a court, and proceed to the trial of David Campbell, Esquire.

The honorable Hugh L. White, one of the judges of the superior courts of law and equity, attended and administered the preceding oath to each of the senators.

Which being done, and Mr. M'Mian having been directed to take the chair, and act as president, Thomas M. Corry, Esquire at arms, made return to the writ of summons against David Campbell, Esquire, &c. that he had executed the same by reading the original, and leaving with him a copy, on September the twenty eighth.

He also made return on a subpoena issued for Charles Wright, David Campbell, John Hillsman, Charles M. Clung, Robert Houston, Francis A. Ramsey, and John Love, that they had executed the same.

David Campbell, Esq. having appeared at the bar of the senate, pursuant to the summons, the clerk was directed to read the articles of impeachment, which being read, David Campbell, in his own proper person, for answer thereto, answered, that he was not guilty of the charges exhibited in the articles of impeachment.

David Campbell, Esq. informed the court, that he had the choice of Mr. Edward Scott, John Williams, and Robert Whyte as counsel, to defend him.

Mr. Kennedy, on behalf of the managers, informed the court, that Jenkin Whiteside, the attorney general, would be of council to support the prosecution.

On application by the managers, the speaker of the senate was directed to issue a summons on behalf of the state, James Reddy, James Miller, Robert Houston & John Love, to appear and give evidence at the bar of the senate, against David Campbell, Esq.

On motion of Mr. Weakley, it was ordered, that the court adjourn till to morrow morning at seven o'clock, when they will again go into the trial of David Campbell.

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At the hour of five o'clock, the senate met in their chamber, and then adjourned the senate until to morrow evening at four o'clock.

Tuesday, October 4, 1803.

At the hour of seven o'clock, to which they had adjourned, the high court of impeachment met in the representatives' chamber to proceed to the trial of David Campbell, esquire, on his impeachment.

The president of the court informed the gentlemen managers, that the court was then open and ready to hear the evidence and allegations in support of their articles of impeachment.

Mr. Kennedy then, on behalf of the prosecution, as one of the managers, read the articles of impeachment and he James Miller, Robert Houston, Pleasant M. Miller, John Love, Charles McClung and Charles Wright, sworn and examined as witnesses.

After which it was ordered, that the serjeant at arms adjourn the court until this day at eleven o'clock.

At which time the court met according to adjournment.

The serjeant at arms returned a subpoena which had been obtained on behalf of David Campbell, esquire, for George Roulstone, executed, which witness, upon being called failed to attend.

Whereupon, on motion of David Campbell, esq. by the council, and it appearing to the satisfaction of the court by the affidavit of said David Campbell, that the testimony of said George Roulstone would be material for the defendant; and that his non attendance is occasioned by his inability to attend—it was resolved, that the defendant Campbell, be at liberty to take the deposition of said George Roulstone, and read it as evidence on the trial; and that Josiah Denol, esq. be requested to attend and qualify said George Roulstone to said deposition; when taken.

Which deposition was taken in pursuance of said resolution, produced in court; and read as evidence.

The examination of the witnesses being completed, the evidence being gone through, the managers and council for the defendant being present,

Mr. Wharton, one of the managers of the prosecution, opened the cause, and was followed by Mr. White on behalf of the defendant; after which, Mr. Kennedy spoke on the part of the prosecution.

It was then resolved, that the serjeant at arms do adjourn this court until five o'clock this evening.

On this day at the hour of four o'clock in the evening, the senate met agreeable to their adjournment of yesterday, in the chamber of the senate.

When Mr. Jack moved for leave of absence on tomorrow, which was granted.

The house then adjourned until tomorrow morning nine o'clock.

At the hour of five o'clock this evening, the high court of impeachment met in the representatives' chamber agreeable to their adjournment, for the purpose of proceeding in the impeachment against David Campbell, esquire, &c. when Mr. Scott, on behalf of the defendant, followed by Mr. Williams, on the same side concluded their defence.

The serjeant at arms was ordered to adjourn this court tomorrow morning at six o'clock.

Wednesday, October 5, 1803.

The court met according to adjournment.

When the president informed the gentlemen managers and council on behalf of the state, that the court was now ready to proceed in the impeachment against David Campbell.

Then Mr. Whiteside concluded the arguments on behalf of the prosecution.

After which the court was adjourned till five o'clock this evening.

At the hour of nine o'clock the senate met according to their adjournment, in the senate chamber.

Received from the house of representatives, a bill to authorise the sheriffs in the different counties in this state to make titles to land sold by former sheriffs who have failed to make titles thereto.

Received from the house of representatives, a bill to au-

Direct the secretary to issue duplicate land warrants, in lieu of those that have been lost or destroyed, and for other purposes expressed therein mentioned.

Ordered to lie on the table.

Senate adjourned till to morrow morning nine o'clock.

At the hour of five o'clock in the evening, the court of impeachment met in the representatives' chamber agreeable to adjournment. The members being not all prepared to decide on the articles of impeachment, it was ordered that the serjeant at arms adjourn this court till tomorrow morning nine o'clock.

Tuesday, October 6, 1803.

Court met according to adjournment.

The articles of impeachment against David Campbell esquire, being read, the President put the question—

Is David Campbell, esq. one of the judges of the superior court of law and equity in and for the State of Tennessee guilty or not guilty?

The votes were as follow:

Messrs. Nichol,	Guilty.
Doherty,	Not guilty.
Taylor,	Not guilty.
Weakley,	Not guilty.
Maxwell,	Not guilty.
Jack,	Not guilty.
Gass,	Not guilty.
M ^r Minn,	Guilty.
Stewart,	Not guilty.
Rutledge,	Not guilty.
Smith,	Not guilty.
White,	Guilty.

Whereupon the President pronounced David Campbell esq. acquitted of the charges in the articles of impeachment.

The serjeant at arms was discharged from further attendance.

On same day, senate met in the senate chamber agreeable to adjournment.

Mr. Gass moved for leave to enter his reasons for voting as he did on the trial of David Campbell, esquire,

the journals—which was granted, and they were as fol-

Mr. Speaker,

My reason for saying not guilty, on the articles of impeachment, exhibited against David Campbell, one of the judges of the superior courts of law and equity, in this state, is, because, if the witness in behalf of the prosecution, could have such a corrupted heart as to attempt to bribe a judge to the injury of another man, it is a doubtful case whether his evidence ought to be taken in such a latitude to convict any person; therefore, as it appears to me to be a doubtful case, if I should err at all, I wish to err on the side of mercy.

JOHN CASS.

Mr. Taylor had leave to enter his reasons as follows—

My opinion as to the impeachment against Judge Campbell, is, that it appears to me some part of James Miller's testimony has been contradicted and invalidated by the testimony of Love, Houston, and Ruston; and since his credit is done away in part, I cannot pay sufficient credit to the remainder to pronounce the judge guilty on that alone. And since a judge is an office on whose dignity depends the respectability of our government; and since he is bound by oath to do his duty; we ought not to convict them on flimsy testimony.

In the case the state against David Campbell, esquire, one of the judges of the superior courts of law and equity, Mr. White moved for leave to enter his reasons for voting for the conviction, which was granted. They are as follow—

On hearing the testimony and the council on both sides, my opinion is, that the first article of the impeachment is supported by the testimony of James Miller. His testimony, as far as it applies to the first article, is not contradicted by the testimony of any other. The senate is appointed by the people to the important office of deciding between them and their officers; and we are bound by the constitution of our country, to decide agreeable to evidence which we think not contradicted; and I believe every avenue should be kept open to the complaints of the people against corruption in their officers; and every officer punished when the charge is supported by evidence, which is not legally im-

peached. Such I conceive to be the testimony of James Miller.

Mr. Taylor presented a petition of the officers of the second regiment of cavalry in Hamilton district, praying that the time appointed for their mustering may be changed, which was read and referred to the committee who have the militia law under consideration, and sent to the house of representatives.

Mr. Smith presented a petition from sundry inhabitants of Wilson county, praying that their court house may be fixed in a place more central than the present, which was read and referred to the committee of propositions and grievances, and sent to the house of representatives.

Received from the house of representatives, a list of taxable property for Roane county, for the year 1802—also a list of taxable property for Anderson county, for the year 1802—also lists of taxable property for Blount county for the years 1802 and 1803, which were referred to the committee of finance.

Received from the house of representatives, a bill for the relief of Gasper Lott.

Ordered that this bill be read, which being read the second time was passed and sent to the house of representatives.

A bill to authorise the sheriffs in the different counties of this state to make titles to lands sold by former sheriffs, who have failed to make titles thereto, was read the first time, passed, and sent to the house of representatives.

A bill to authorise the secretary of state to issue duplicate land warrants in lieu of those that have been lost or destroyed, and to issue others, for other purposes therein expressed, was taken up and ordered to be read, which was read the first time, passed, and sent to the house of representatives.

A bill for the relief of John Scott, Samuel McCord, Andrew Crockett, James Gains, sen. and Martin Waddle, securities of Francis Henry Gains, was taken up and read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to divide the county of Montgomery, and form a new county out of the lower part thereof, which was ordered to be

read, and was read the third time, and on motion of Mr. Stewart was withdrawn for amendment.

The house then adjourned until to morrow morning nine o'clock.

Friday, October 7, 1803.

The House met according to adjournment.

Mr. Smith presented a list of taxable property for Jackson county, for the years 1802 and 1803—referred to the committee of finance, and sent to the house of representatives.

Mr. Gass presented the petition of Isaac Baker and Thomas Wilson, praying compensation for opening a certain road therein mentioned, which was read and referred to the committee of claims, and sent to the house of representatives.

Received from the house of representatives a petition from sundry inhabitants of Davidson county, praying that the owner or owners of the French Lick be compelled to enclose the same, which was read and referred to the committee of propositions and grievances.

Received from the house of representatives, a petition from David Love, praying compensation to be made him for attending as a witness in behalf the state against Jeremiah Watton, which was read and referred to the committee of claims.

Received from the house of representatives, a list of taxable property for Claiborne county, for the year 1802—referred to the committee of finance.

Received from the house of representatives, a bill to amend an act, entitled, an act to regulate the proceedings of the court of equity, and for amendment of the law.

Ordered, that this bill be read, which being read the first time was passed and sent to the house of representatives.

Received from the house of representatives, a bill authorizing the completion of a contract entered into between Alexander Gamble, deceased, and Robert Gamble, which was read the first time and passed, and sent to the house of representatives.

Received from the house of representatives, a bill—

providing for the election of representatives from this state in the congress of the United States.

Ordered to lie on the table.

Received from the house of representatives, a bill to authorise the sheriffs in the different counties in this state to make titles to lands sold by former sheriffs, who have failed to make titles thereto.

Ordered, that this bill be read, which was read the second time, passed, and sent to the house of representatives.

Received the following message from house of representatives,

Mr. Speaker and Gentlemen of the Senate,

This house have added mr. Harmon to the committee of claims.

Ordered, that the following message be sent to the House of Representatives :

Mr. Speaker and Gentlemen of the House of Representatives,

The senate concur with you in adding mr. Harmon to the committee of claims.

Received from the house of representatives, a bill restoring John Wilson, jun. to his former capacities and abilities as therein mentioned.

Ordered, that this bill be read, which was read the third & last time, passed and sent to the house of representatives.

On motion of mr. M'Mian, seconded by mr. Rutledge, the yeas and nays were entered on the journal.

Those who voted in the affirmative, were,

Messrs. Doherty, Taylor, Maxwell, Jack, Gass, Stewart & Smith. 7.

Those who voted in the negative, were,

Messrs. Nichol, M'Mian, and Rutledge. 3.

It was ordered, that mr. Maxwell have leave of absence to-morrow.

Received from his excellency governor Sevier, the following communications which were ordered to be entered on the journal, and sent to the house of representatives :

Mr. Speaker and Gentlemen of the Senate, and

Mr. Speaker and Gentlemen of the House of Representatives,

Many and important are the various interests of your fellow citizens and constituents whom you have the honor to represent. It would be superfluous in me to suppose you have not duly and deliberately considered the most essential and urgent matters relative to the interest and welfare of your country; and also your anxious and earnest desire to adopt the salutary means by which those interests are to be cherished, promoted and matured into effect.

Permit me, gentlemen, in the first place, to claim your attention to the present situation of the laws generally adhered to, and considered as authority in most cases where adjudications in the several courts of this state are founded upon—I mean the laws of Great Britain; laws enacted and had their original existence under a monarchical, and I may say, tyrannical government, a government in no manner similar to that of our own, neither in policy, liberty, property, toleration of religion or situation.

The different states within the United States have framed their constitutions and forms of government upon republican principles, and reason will suggest, that the common law of England, or any other European nation, are not suitable for republican states to adopt; as also the impropriety of decisions in matters of the highest concern, affecting the lives and properties of the citizens, in conformity to laws of foreign nations, which in my opinion we are not bound to support or be governed thereby. I therefore flatter myself you will discover the great necessity of passing laws amply competent for our own internal regulations, and no longer be subservient to laws which few can know any thing about or become acquainted therewith.

I now beg leave to claim your attention towards the embarrassed situation of this state, with respect to that part lying on the north side of Tennessee river, claimed by the Cherokee Indians. It is well known to your honorable body, that many good citizens in times of deepest distress, in the revolutionary war, advanced supplies, and rendered

their personal services for the support of the same, who took as an evidence and security of the debts, what was then called specie-certificates, which many of the holders were since induced to lay out for a part of those lands, placing the fullest confidence and faith in the state of North Carolina, whose laws guaranteed to the purchasers, and gave every reason to believe they would enjoy the same. I need not mention that numbers of those purchasers have laid out their all on those lands, and yet near twenty years have elapsed without their receiving any remuneration; and consequently a great and valuable part of the state remains unsettled and uncultivated, very prejudicial and injurious to our revenue, the community at large, and the adventurers. It is with regret I have to remark, that every other class of citizens have been accommodated and their claims amply adjusted long since. I therefore take the liberty to recommend, that you will be pleased to direct the delegation from this state in the congress of the United States, to make application for the purpose of extinguishing the Indian claim to the lands north of Tennessee river.

It will be important and proper to enquire into the state of your finance, and treasury departments, and examine how far, and regular settlements, as required by law, have been made, the public monies expended, and for what purposes.

It appears to the executive that some time in the year 1802, a very barbarous and atrocious murder was committed by the Cherokees, on the body of a young man by the name of Runion, residing in the county of Sevier, and it does not appear by any documents in the office of state, that the perpetrators have been apprehended, or any sufficient satisfaction rendered from the offending party to the injured and grossly insulted state.

This transaction having taken place in the time of my predecessor, I would therefore pray you, gentlemen, to give your instructions to the executive on this occasion.

I entrust to your consideration the importance of opening roads leading towards the nearest ports within any one of our sister states, and the great utility of facilitating the navigation of our rivers, so far as may be within the compass of your resources.

I shall reserve for further communication, such matters and relations as may deserve and merit your attention, begging of the honorable legislature to be assured, that the executive will with cheerfulness and promptitude co-operate in every measure that will tend to the honor, dignity, and prosperity of the state.

JOHN SEVIER.

House then adjourned until tomorrow morning nine o'clock.

Saturday, October 8, 1803.

The House met according to adjournment.

Mr. Smith moved for leave and presented a bill authorising and establishing a separate and independent company of light infantry, in the town of Gallatin, which was read the first time, passed and sent to the house of representatives.

A message from the House of Representatives,

Mr. Speaker and gentlemen of the senate,

This house have appointed messrs. Claiborne, Lillard and Kennedy as a committee on their part to contract with a printer for printing the laws, journals, &c. of this session.

Which was read and concurred with,

Ordered, that the following message be sent to the House of Representatives,

Mr. Speaker and Gentlemen of the House of Representatives,

The senate concur with you in appointing a committee to contract with a printer to publish the laws and journals &c. of the present session, and appoint messrs. Stewart, Gase and Nichol for that purpose.

Received from the house of representatives, a petition from Elijah Humphreys praying, a law may be passed, to authorise him to surrender his grant to the state, and obtain a warrant for the same quantity of land, which was read and referred to the committee of propositions and grievances.

Received from the house of representatives, a bill to authorise the several county courts in this state, if they think

expedient, to levy a tax for the purpose of procuring a standard of weights and measures.

Ordered to lie on the table.

Received from the House of Representatives, a bill for the relief of Gasper Lot.

Ordered to lie on the table.

The House then adjourned until Monday morning nine o'clock.

Monday, October 10, 1803.

The house met according to adjournment.

On motion of Mr. Weakley, seconded by Mr. Rutledge,

It was resolved, that messrs. Weakley, Jack and Taylor be a committee on the part of this house to take into consideration the land laws passed last session of the general assembly, and report by bill what measures are necessary to carry the same into effect.

On motion of Mr. Smith, seconded by Mr. Weakley,

It was ordered, that messrs. Smith, Doherty and Gass be a committee on the part of this house to draft a bill to revise the laws respecting intestates', and to draft a bill to amend the revenue laws of this state.

Ordered, that the following message be sent to the House of Representatives,

Mr. Speaker and Gentlemen of the House of Representatives,

The senate have appointed messrs. Weakley, Jack and Taylor, as a committee to take into consideration the land laws passed last session, and to report by bill or otherwise, how the same are to be carried into effect. We have likewise appointed messrs. Smith, Gass and Doherty to draft a bill revising the laws concerning intestates' estates, and to draft a bill for the amendment of the revenue laws of this state.

Received from the house of representatives a petition from a number of the inhabitants of Grainger county, praying that commissioners may be appointed to settle with commissioners, &c. read and referred to the committee of propositions and grievances.

Received from the house of representatives, a petition from George Wilson, concerning public printing, which was

referred to the committee who have to contract with a printer to do the public printing.

A bill for the relief of Galper Lott, was ordered to be taken up, and ordered to be read, which read the third and last time and ordered to be engrossed.

A bill to authorise the several county courts of this state, if they think it expedient, to lay a tax for the purpose of procuring a standard of weights and measures was taken up, read the second time, amended, passed and sent to the house of representatives.

Received from the house of representatives, a bill to appoint commissioners to purchase a place on the bluff of the river in the town of Nashville, for the purpose of building thereon a district and county jail, and authorising them to contract with a suitable workman or workmen to erect the same, which was read the first time, passed, and sent to the house of representatives.

On motion of Mr. Smith,

Ordered, that the following message be sent to the house of representatives,

Mr. Speaker and Gentlemen of the House of Representatives,

The senate have appointed messrs. Rutledge, Nichol and Stewart as a committee to report by bill, what explanation or amendments are necessary to the laws respecting forcible entry and detainure, now in force in this state. The senate propose dissolving the committee appointed to report what bills of a public nature are necessary to be passed into laws this session.

Received from the house of representatives the following message,

Mr. Speaker and gentlemen of the senate,

This house concur with you in appointing a committee to enquire what explanations or amendments are necessary to the laws respecting forcible entry and detainure, and name on our part messrs. Buckingham, Claiborne and Snodgrass. We also concur with you in dissolving the committee appointed to enquire what bills of a public nature are necessary to be passed into laws at the present session.

Received from the house of representatives a bill authorising the secretary to surrender grants to the owners in case

When only a part of the land is lost, read the first time, passed and sent to the senate:

Received from the house of representatives a bill to prohibit the practice of bringing slaves to his state, as articles of merchandize, read the first time, passed and sent the house of representatives.

Received from the house of representatives a bill authorizing & establishing a separate and independent company of light infantry, in the town of Gallatin, read the second time, passed and sent to the house of representatives.

Received from the house of representatives a bill to amend an act, entitled an act to regulate the proceedings of the court of equity, and for amendment of the law, which was read, and on motion of Mr. Weakley was withdrawn for amendment.

Received from the house of representatives, a bill erecting part of Robertson and Montgomery counties, into a separate and distinct county, which was read the first time and passed.

Received from the house of representatives the following message :

Mr. Speaker and gentlemen of the Senate,

We herewith send you a resolution which we have adopted, and to which we ask your concurrence.

Resolved, that Francis A. Ramsey, clerk of the superior court for Hamilton district, be directed to lay before the general assembly a statement of the number of suits now depending in the superior court for said district, and whether the number of suits have been encreasing or decreasing within the last two years; and how many suits have been determined at the present term of the superior court, for the district aforesaid.

Which was read, and on motion of Mr. Weakley, seconded by Mr. Jack, was ordered to lie on the table.

Received from the house of representatives a bill to purchase for the state of Tennessee, the patent right of Eli Whitney and Phineas Mitter, of a machine, or new invention for cleaning cotton, commonly called the saw gin, which was read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to

authorise the completion of a contract entered into between Alexander Gamble, deceased, and Robert Gamble, which was read the second time, passed, and sent to the house of representatives.

The house adjourned until to morrow morning nine o'clock.

Tuesday, October 11, 1803.

The house met according to adjournment.

Mr. Jack presented the tax list of Grainger county, for the years one thousand eight hundred and one, and one thousand eight hundred and two, referred to the committee of finance, and sent to the house of representatives.

Mr. Taylor presented a bill to ascertain the true boundary line between the counties of Sullivan and Carter, which was read the first time, passed and sent to the house of representatives.

Mr. Weakley presented a bill for the amendment of the law relative to witnesses, which was read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a petition from sundry inhabitants of Montgomery county, praying a repeal of part of the law respecting the navigation of certain rivers, which was read, referred to the committee of propositions and grievances.

Received from the house of representatives, the petition of Hugh Dunlap and Devereux Gilliam, praying that they may be permitted to erect gates across the high way at certain places therein mentioned, which was read, referred to the committee of propositions and grievances.

Received from the house of representatives a bill appointing commissioners to fix on a place to erect a court house, prison and stocks, in the county of Smith, was read the first time, passed and sent to the house of representatives.

The bill to authorise the several courts in this state, if they think expedient, to lay a tax for the purpose of providing a standard of weights and measures was taken up, read the third time, and ordered to lie on the table till to-morrow.

The bill to provide for the election of representatives in Congress of the United States, and for other purposes, was

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taken up and read the third time, and was withdrawn by
Mr. McMinn for amendment.

The house adjourned till tomorrow nine o'clock.

Wednesday, October 12, 1803.

Met according to adjournment.

Mr. Weakley who withdrew the bill authorising the court
of Davidson county to enlarge and extend the bounds of
the jail of said county, returned the same, which was read
and ordered to lie on the table.

Received from the house of representatives, a bill to
purchase for the State of Tennessee, the patent right of Eli
Whitney and Phineas Miller, of a machine or new invention
for cleaning cotton, commonly called the saw gin, which
was read and ordered to lie on the table.

Received from the house of representatives, a bill au-
thorising the court of Montgomery county to lay a certain
tax annually, which was read the first time, passed and sent
to the house of representatives.

Received from the house of representatives, a bill to
amend the first section of an act, entitled, an act to enforce
the attendance of jurors, so far as respects county courts,
which was read the first time, passed and sent to the house of
representatives.

Mr. Stewart from the committee of claims, Reported—

That the petition of William Davidson, praying that
he may be allowed the sum of four dollars and fifty six
cents, for his attendance, in the suit the State against Luke
McHenry, is reasonable and ought to be granted.

That the petition of Samuel Davidson, praying he
may be allowed the sum of two dollars and fifty six cents,
for his attendance in the suit the State against Luke Mc-
Henry, is reasonable and ought to be granted.

That the petition of David Love, praying, that he
may be allowed the sum of sixteen dollars fifty eight and
three fourth cents, for attendance in the suit the State a-
gainst Jeremiah Watson, is reasonable and ought to be
granted.

The committee of claims to whom referred the

petition of Isaac Baker and Thomas Wilson, praying to be compensated for opening a road from the Painted Rock to Sherrill's cove, in Greene county, Report, that it is reasonable that they be authorized to receive toll.

D. STEWART, Chairman.

Which were read and concurred with, and sent to the house of representatives.

Mr. Stewart, from the committee of claims, Reported—

That the petition of John Boyd, jun. sheriff of Davidson county, praying that he may be allowed the sum of fifty four dollars seventy five cents for executing Charles Powell and others, and sundry other services, is reasonable and ought to be granted.

D. STEWART, Chairman.

Which was read and concurred with so far as to allow him seventeen dollars twenty five cents; money by him expended, and non concurred with, so far as respects thirty seven dollars and fifty cents, fees charged by him for executing Charles Powel and others, but that the same may be ascertained in a bill, liquidating such fees.

Ordered, that the same be carried to the house of representatives and a message to that effect.

Mr. Stewart from the committee of claims, Reported—

That the petition of Richard Boyd, jailor of Davidson county, praying that he may be allowed the sum of forty five dollars seventy cents, for the maintainance of Robert Wiley and Robert Smith Slaughter, while in jail, and other contingencies therein mentioned, is reasonable and ought to be granted.

D. STEWART, Chairman.

Which was read and non concurred with; and sent to the house of representatives.

Mr. M'Minn who withdrew for amendment the bill to provide for the election of representatives from this state in the congress of the United States, and for other purposes, returned the same, which was read the third and last time, and on motion of Mr. Weakley, the words "so as aforesaid elected," in the last line of the sixth section were stricken out, and

"elected as aforesaid" inserted in room thereof. The words "as the same" in the seventh section were stricken out, and inserted in room thereof, the words "at the seat of government;" and the words "the seat of government" in said struck section out, and the words "the same" inserted in room thereof.

On motion Mr. McMinn, an additional section was inserted in room of the eighth section, and that said eighth section be transposed to the ninth.

The following message was sent to the House of Representatives:

Mr. Speaker and Gentlemen of the House of Representatives,

The senate propose amending the bill to provide for the election of representatives from this state in the congress of the United States, by making the following amendments,

The last line of the sixth section reads thus—"The governor shall immediately make out a commission for the person so as aforesaid elected." We propose striking out the words "so as aforesaid elected," and inserting "elected as aforesaid."

The seventh section reads thus—"The sheriff who forwards the certificate as aforesaid to the governor, shall be entitled to receive the sum of two dollars for each day he necessarily engaged in the same, and the like sum for every twenty five miles in travelling to and from the seat of government," and insert in the room thereof "the same;" we propose striking out the words "in the same," and inserting in the room thereof, "at the seat of government," and striking out the words, "the seat of government," and insert in the room thereof, "the same." We propose adopting the following section as the eighth, in the room of the last section of said bill, and that the last section be transposed to the ninth.

Sec. 8. Be it enacted, That each of the sheriffs or other returning officer, appointed by virtue of the fourth, fifth & sixth sections of this act, shall be allowed the sum of one dollar and fifty cents for every thirty miles travelling to and from the place appointed for the said returning officers to convene, and the same for each day he shall necessarily attend comparing the returns of said elections, which shall be

ascertained upon oath of said returning officer, before some judge or justice of the peace, and a certificate thereof signed by the said judge or justice of the peace shall be given to each returning officer respectively, to be paid out of either of the public treasuries of this state; and if any of the aforesaid sheriffs or other returning officers shall fail to perform the duties enjoined on him by this act, he shall forfeit and pay the sum of five hundred dollars, one half to the use of the state, the other half to him or them that will sue for the same, to be recovered by action of debt in any court of record in this state, unless good and sufficient cause be shewn for such failure or non attendance.

If you concur with these amendments, please send two of your body to see them made.

Received from the house of representatives the following message :

Mr. Speaker and Gentlemen of the Senate,

We concur with your proposed amendment to the bill making provision for the election of representatives from this state in the congress of the United States, and send Messrs. Menefee and Claiborne to see the same made.

Which was made accordingly, and the bill passed the third and last time, and ordered to be engrossed.

The house then adjourned until to morrow morning nine o'clock.

Thursday, October 13, 1803.

House met according to adjournment.

The committee of propositions and grievances report—

That the petition of Elijah Humphreys, praying a law to be passed, authorising him to get a new warrant or warrants as his land has been taken by an older grant, is reasonable and ought to be granted.

That the petition of sundry inhabitants of Wilson county, praying that said county may be made constitutional, is reasonable, and ought to be granted.

That the petition of sundry inhabitants of Grainger county, praying a law to be passed, compelling the commissioners appointed to lay out a town, &c. in said county, to

refund the surplus money arising from the sale of the lots of said town, is reasonable and ought to be granted.

The petition of sundry inhabitants of Wilson county, praying the court house to be removed and made central, is unreasonable and ought not to be granted.

The petition of the officers of the second regiment of cavalry in Hamilton district, praying, that the time of their holding their musters at Cheek's cross roads, may be altered, is reasonable and ought to be granted.

The petition William King, of Washington county, commonwealth of Virginia, praying a law to be passed, compelling David Ross, esq. to make, or cause to be made a lock to his dam on the north fork of Holston, is unreasonable and ought not to be granted.

Which were read and concurred with, and sent to the house of representatives.

Received from the house of representatives, a bill for the amendment of the law relative to witnesses, which was read the second time, passed and sent to the house of representatives.

Received the following message from house of representatives,

Mr. Speaker and Gentlemen of the Senate,

This house concur with you in appointing a committee to take into consideration the land laws, passed at the last session, and report by bill or otherwise, how the same are to be carried into effect, and name messrs. Nelson, Claiborne, Menefee and Harmon for that purpose. We also concur with you in appointing a committee to draft a bill revising the laws concerning intestates' estates, and for the amendment of the revenue laws of this state, and have appointed messrs. Foster, Wynne, Wharton, and Buckingham for that purpose.

Received from his excellency governor Sevier the following communication, which was read and referred to the committee appointed to examine the books and papers of Carter's office, and sent to the house of representatives.

Mr. Speaker and Gentlemen of the Senate, and

Mr. Speaker and Gentlemen of the House of Representatives,

The secretary of state, agreeable to law, passed the last general assembly, has lodged in the hands of the executive, a considerable quantity of papers, said to belong to the entry office of Washington county. I cannot discover any law directing how those papers are to be disposed of. I therefore request you will be pleased to take such measures as you may deem the most salutary, and direct by law or otherwise, what is to be done with the same.

With due respect and consideration,

Your most obedient servant,

JOHN SEVIER.

Knoxville, 13th October 1803.

A message from the House of Representatives.

Mr. speaker and gentlemen of the senate,

We herewith send you a resolution which we have this day adopted, and to which we ask your concurrence.

Resolved, that his excellency John Sevier, be directed to deliver to the chairman of the committee who have under consideration the communications of the late governor, touching the books, papers, &c. of Carter's office, all such papers and documents of said office as have been deposited in his hands by the commissioner appointed to receive the same, which papers and documents, &c. shall remain in the hands of said chairman until otherwise directed by law.

The following message was sent to the House of Representatives:

Mr. Speaker and Gentlemen of the House of Representatives,

The senate concur with your resolution, that his excellency governor Sevier be directed to deliver to the chairman of the committee appointed to take under consideration the papers, &c. of Carter's office, &c. all the papers, documents, &c. respecting the same, which he may have in his hands.

Received from the house of representatives, a bill

authorizing the secretary to surrender grants to the owners, where only part of the land is lost.

Ordered to lie on the table.

Mr. Doherty moved for leave and presented a bill to consolidate the treasury departments into one office, and that to be kept at the seat of government.

Ordered, that the bill be read, which was read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to divide the state into six juridical districts, which was read the first time, passed and sent to the house of representatives.

Mr. Stewart, who withdrew for amendment, the bill to divide the county of Montgomery, and form a new county out of the lower part thereof, returned the same, and moved, that the bill be amended by adding section eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth, which was received and the following message sent to the house of representatives.

Mr. Speaker and gentlemen of the house of representatives,

The senate propose amending the bill to divide the county of Montgomery and form a new county out of the lower part thereof, by adding after the seventh section of the said bill, the eighth, ninth, tenth, eleventh, twelfth, thirteenth and fourteenth sections, which we herewith send you for your inspection—if you agree to these amendments, please send two of your body who will bring the said amendments back and see them made.

A message from the House of Representatives.

Mr. Speaker and Gentlemen of the Senate,

This house concur with the amendments by you proposed to the bill for the division of Montgomery county, and have sent messrs. John Tipton and Menefee to see the same made.

The bill was accordingly amended, and read the third and last time, passed, and ordered to be engrossed.

Received from the house of representatives, the petition of Archibald Roane, which was read and referred to the committee of claims.

Received from the house of representatives the resignation of Nicholas T. Perkins, as a justice of the peace for the county of Davidson.

Received from the house of representatives a bill authorizing the court of Davidson county to extend the bounds of the jail of said county, which was read the second time, amended, passed, and sent to the house of representatives.

Received from the house of representatives, a bill appointing commissioners to fix on a place to erect a court house, prison and stocks in Smith county—read the second time, and withdrawn by Mr. Smith for amendment.

Received from the house of representatives, a bill erecting part of Robertson and Montgomery counties into a separate and distinct county, which was read the second time, passed and sent to the house of representatives.

House then adjourned till three o'clock in the evening.

Met according to adjournment.

Mr. Weakley, who withdrew for amendment, the bill to amend an act entitled, an act to regulate the proceedings of the courts of equity and for amendment of the law, returned the same, which was read the second time, amended and passed.

The house adjourned until to-morrow morning nine o'clock.

Friday, October 14, 1803.

House met according to adjournment.

Mr. Smith returned a bill appointing commissioners to fix on a place to erect a court house, prison, and stocks in Smith county, which was read the second time, passed, and sent to the house of representatives.

Received from the house of representatives a bill to appoint notaries public, which was read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a petition from Samuel Doak, praying relief therein mentioned—read and referred to the committee of claims.

Received from the house of representatives, a bill to compel the retailers of foreign merchandize to obtain a

licence from the clerks of the several counties of this state, authorising them to sell, which was read the first time, passed, and sent to the house of representatives.

Received from the house of representatives a bill to amend the sixth section of an act entitled "an act making provision for the poor, which was read the first time, passed and sent to the house of representatives.

The bill to purchase for the state of Tennessee, the patent right of Eli Whitney and Phineas Miller, of a machine or new invention for cleaning cotton, commonly called the saw gin, was taken up, and ordered to lie on the table for further consideration.

Received from the house of representatives, a petition from John Shaffer; heir at law of Michael Shaffer, praying that grants may issue on certain locations made by said Michael in his life time, which was read & referred to the committee of propositions and grievances.

Received from the house of representatives, a bill authorising the secretary of state to surrender grants to the owners, in cases where only a part of the land is lost, which was ordered to lie on the table until the committee appointed to report on the land law make report.

Received from the house of representatives, a bill to authorise the court of Montgomery county to levy a certain tax annually, which was ordered to lie on the table.

Received from the house of representatives, a bill authorising the completion of a contract between Alexander Gamble, deceased, and Robert Gamble, which was read the third and last time, passed and ordered to be engrossed.

Received from the house of representatives a bill to authorise the several county courts in this state, if they think expedient, to levy a tax for the purpose of procuring a standard of weights and measures, which was withdrawn by Mr. Gass for amendment.

Received from the house of representatives a bill to consolidate the treasury departments into one office, and that to be kept at the seat of government, which was withdrawn by Mr. Gass for amendment.

Received from his excellency Governor Sevier, the following communication;

Mr. Speaker and Gentlemen of the Senate, and

Mr. Speaker and Gentlemen of the House of Representatives,

1835,

Permit me to call your attention to the subject of the provisional line between the states of North Carolina and Tennessee, which have been extended and designated by commissioners appointed by the state of North Carolina only.

I have to remark, that line is no wise conformable to the line laid down in the cession act, and of course cannot be the true line, as contemplated by the stipulations and conditions of our separation from North Carolina. It is deserving your notice, that North Carolina has erected and established a turnpike road leading from the county of Greene, by way of the Warm Springs, into the states of North Carolina, South Carolina, and Georgia; and is undoubtedly on the road within this state. That government also claims and exercises jurisdiction over a considerable settlement in the neighborhood of the Warm Springs; which by a fair construction of the line, is some miles within the state of Tennessee; I am confident that the line as run by North Carolina, varies very considerably from the line contemplated, and of course taken in a considerable part of our territory, which she is by no means entitled to.

Which was read, and on motion of Mr. Galt, Mr. McMin and Mr. Taylor were appointed to report on the same, as well as the other communications of his excellency Governor Sevier.

Ordered, that the following message be sent to the House of Representatives :

Mr. Speaker and Gentlemen of the House of Representatives,

The senate have appointed Messrs. McMin and Taylor, on the part of this house, to report on the communication of his excellency Governor Sevier, to act with such gentlemen as you may appoint.

Received from the house of representatives the following message,

Mr. Speaker and gentlemen of the senate,

This house concur with you in appointing a committee

to report on his excellency governor Sevier's communications, and have named messrs. Claiborne, Buckingham, and Harmon for that purpose.

The house adjourned till three o'clock, this evening.

Met according to adjournment.

The following letter from Return J. Meigs, to his excellency the governor, was read.

SIR,

I was honored with your favor of the 7th instant by Capt. Sparks. The Cherokees begin to come in already to receive their annuity. By the fifteenth instant they will all be here. The proposal for a road from Tennessee to Georgia will be renewed. I shall be very happy if you can make it convenient to be here at the time. I presume, if you will be here when the proposal is made, we shall succeed in obtaining it.

I have the honor to be, your excellency's obedient servt.

RETURN J. MEIGS.

P. S. I hope you will not fail to be here by the 15th inst.

Governor Sevier.

Which was sent to the house of representatives, accompanied with the following resolution, which was entered into in consequence thereof.

Resolved by this legislature, that it would be expedient for his excellency governor Sevier to attend, in pursuance to the request in the above letter.

Ordered, that the following message be sent to the House of Representatives,

Mr. Speaker and Gentlemen of the House of Representatives,

We herewith send you a letter from Return J. Meigs, to his excellency governor Sevier, accompanied with a resolution which we have adopted in consequence thereof, to which resolution we ask your concurrence.

House adjourned till tomorrow nine o'clock.

Saturday, October 15, 1803.

The House met according to adjournment.

Received from the house of representatives, a memo

rial of the officers of Davidson county, praying that a law might be passed authorising each regiment to employ music, &c. to be paid by said regiment, which was read and referred to the committee who have the militia laws of this state under consideration:

A bill authorising the court of Montgomery county to lay a certain tax annually was read the second time, passed, and sent to the house of representatives.

Mr. Maxwell, from the committee of propositions and grievances, made the following report—

That the petition of sundry inhabitants of Sullivan county, commonly called the Beaver Dam settlement, praying to be annexed to Carter county, is unreasonable, and ought not to be granted.

JAMES MAXWELL,

Chairman of the committee.

Which was read and concurred with, and sent to the house of representatives.

Received from the house of representatives, a bill to ascertain the true boundary line between the counties of Carter and Sullivan, was read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to release Thomas Menefee and Jacob Rhodes from a forfeited recognizance, which was read the first time, passed and sent to the house of representatives.

A bill to purchase the patent right of Eli Whitney and Pheneas Miller, of a machine or new invention for cleaning cotton, commonly called the saw gin, was taken up, read the second time, amended, passed, and sent to the house of representatives.

Received from the house of representatives, a bill restoring Wilson county to its constitutional limits, which was read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to erect the counties of Davidson and Williamson into three separate and distinct counties, which was read the first time, passed and sent to the house of representatives.

Mr. Rutledge moved for leave of absence until Monday next.

Received from the House of Representatives, a bill declaratory of the law of North Carolina now in force concerning sheriffs and coroners making titles to lands sold under execution, and making further provision in that respect.

Which was ordered to lie on the table until Monday next.

Received from the house of representatives a bill to ascertain the true boundary line between the counties of Carter and Sullivan, which was read the second time, passed and sent to the house of representatives.

Received from the house of representatives, a claim of the clerk of Mera district—read and referred to the committee of claims.

The House then adjourned until Monday morning nine o'clock.

Monday, October 17, 1803.

The house met according to adjournment.

Received from the house of representatives, a bill to continue in force an act passed by the general assembly of this State, on the 6th of November, 1801, entitled "an act for the relief of such persons as have suffered or may suffer by their grants, deeds or mesne conveyances not being proved or registered within this State, which was read the first time passed and sent to the house of representatives.

Mr. Taylor moved for leave and presented a bill to prohibit any person from using words in the hearing of slaves, or persons of color, either publicly or privately, that may have a tendency to inflame their minds, or induce them to insurrection.

Ordered, that the bill be read, which was read the first time, passed, and sent to the house of representatives.

Mr. Maxwell presented the following reports of the committee of propositions and grievances, viz. :

The committee of propositions and grievances report That the petition of sundry inhabitants of Davidson and Williamson counties praying a new county to be granted them therein described is reasonable and ought to be granted. The committee of propositions and grievances, report that the petition of Devereux Gilliam and Hugh Dunlap.

praying to have leave to erect a gate across the public road on each side of Holston river, is reasonable and ought to be granted.

The committee of propositions and grievances, report, that the petition of sundry citizens of Montgomery county, praying that the law passed last session declaring the west fork of Red river to be kept open, be repealed, is reasonable.

The committee of propositions and grievances, report, that the petition of some of the inhabitants of Nashville and its vicinity, praying that the legislature would pass a law, relative to a bye law, said to be passed by the commissioners of the town of Nashville, authorising the killing of hogs belonging to citizens, not resident within the limits of said town, is unreasonable and ought not to be granted, inasmuch as the committee are informed that the commissioners aforesaid have already repealed that law.

JAMES MAXWELL, Chairman.

Which were read and concurred with, and sent to the house of representatives.

Mr. Galt who withdrew for amendment the bill to authorise the several county courts in this state, if they think expedient, to lay a tax for the purpose of procuring a standard of weights and measures, returned the same, and moved that it be amended by striking out from the word "a bill," and accept an amendment by him proposed, which was agreed to, and a message requesting the concurrence of the house of representatives thereto, was sent, to which they concurred, and sent messrs. Wynne and Foster to see the same made, which was made, and the bill ordered to lie on the table till tomorrow.

Mr. Galt, who withdrew for amendment, the bill to consolidate the treasury department into one office, and that to be kept at the seat of government, returned the same, and moved to amend the same from the words "a bill," which was agreed to, and withdrawn for further amendment by mr. McMin.

Mr. Taylor presented a petition of a number of the inhabitants of Carter county, praying a law to be passed for issuing grants on warrants and surveys not yet ripened into grants, which was read and referred to the committee of propositions and grievances.

Received from the house of representatives, a petition of sundry inhabitants of Smith county, praying, that the legislature may adopt some method, either as prayed for in said petition, or other just means in order to have a place fixed upon for the erection of the public buildings in said county, which was referred to the committee of propositions and grievances.

On motion of mr. Smith—

Ordered, that the following message be sent to the House of Representatives,

Mr. Speaker and gentlemen of the house of representatives,

The senate have resolved, that no new bills be received after Thursday, the twenty seventh instant, to which we ask your concurrence.

A message from the House of Representatives,

Mr. Speaker and gentlemen of the Senate,

This house concur with you in not receiving any new bills after Thursday, the twenty seventh instant.

Received from the house of representatives, a bill to repeal part of a law passed the last session of the general assembly, entitled "an act to prevent the obstruction of certain rivers therein mentioned, which was read the first time, passed and sent to the house of representatives.

Mr. Rutledge presented the tax list of Sullivan county for the year one thousand eight hundred and three, which was referred to the committee of finance and sent to the house of representatives.

Received from the house of representatives the tax list of Jefferson county, for the years 1802 and 1803—referred to the committee of finance.

Received from the house of representatives, a bill authorizing the court of Montgomery county, to levy a certain tax annually, which was read the third and last time, passed and ordered to be engrossed.

Mr. Weakley moved for leave and presented a bill to alter the name of a certain person therein mentioned, which was ordered to be read, and was read the first time, passed and sent to the house of representatives.

House then adjourned till three o'clock in the evening.

Met according to adjournment.

Received from the house of representatives, a bill to amend an act, entitled "an act to establish a college, and incorporate the trustees thereof, in Davidson county, which was read the second time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to amend an act, entitled, an act to regulate the proceedings of the court of equity, and for amendment of the laws, which was read, and ordered to lie on the table.

Received from the house of representatives, a bill to re-organize Wilton county to its constitutional limits, which was read the second time, passed, and sent to the house of representatives.

Received from the house of representatives a bill erecting Davidson and Williamson into three separate and distinct counties, which was read the second time, amended, passed, and sent to the house of representatives.

Mr. Jack presented the tax bill of Granger county, 1803--referred to the committee of finance.

The house adjourned till tomorrow nine o'clock.

Tuesday, October 18, 1803.

The House met according to adjournment.

On motion of Mr. M'Minn, it was resolved, that the bill to authorize the several county courts in this state, if they think expedient to levy a tax for the purpose of procuring a standard of weights and measures, be amended by adding an additional section in room of the fourth, and transferring the fourth to the fifth, which amendment was agreed to, and a message was sent the house of representatives asking their concurrence; to which they assented, the house of representatives concurred, and M. H. R. R. and Nathan came to see the same made. The bill was then read the third time, passed and ordered to be enrolled.

Mr. Taylor presented the petition of a number of the inhabitants of Carter county, praying, the laws forbidding

horse racing to be repealed, which was referred to the committee of propositions and grievances, and sent to the house of representatives.

Received from the house of representatives the tax list of Hawkins county, for the year 1803, which was referred to the committee of finance.

Received from the house of representatives, a bill to appoint notaries public, which was read the second time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to prohibit the practice bringing slaves into this state as articles of merchandize, which was read the second time, passed, and sent to the house of representatives.

Mr. Nichol moved for leave and presented a bill empowering the county court of Sevier to lay an additional tax for the purpose of repairing the court house, prison, and stocks in said county, and for employing some person to make the necessary repairs, and for keeping the same, which was read the first time, passed and sent to the house of representatives.

A bill to prohibit any person from using words in the hearing of any slave, or person of colour, either publicly or privately, that may have a tendency to inflame their minds, or induce them to insurrection, was read and amended, and withdrawn by Mr. Stewart for further amendment.

Received from the house of representatives, a bill for the better security of the trial by jury in the superior courts, which was read the first time, passed and sent to the house of representatives.

The bill to ascertain the boundary line between the counties of Sullivan and Carter, was taken up, and on motion of Mr. Rutledge, seconded by Mr. Taylor, it was ordered that the bill be laid over until the next general assembly.

The bill to ascertain the true boundary line between the counties of Carter and Sullivan was taken up and read, and on motion of Mr. M'Minn, seconded by Mr. Rutledge, it was ordered to lie on the table until tomorrow.

Received from the house of representatives the tax list of Roberson county, for 1802 and 1803—referred to the committee of finance.

Mr. Maxwell from the committee of propositions and grievances presented the following reports :

The committee of propositions and grievances report :

That the petition of sundry inhabitants of Smith county, praying that a law be passed authorising the court of said county to appoint commissioners to fix on a place in said county to erect the public buildings, is reasonable and ought to be granted.

That the petition of sundry inhabitants of Smith county, praying that two or more places may be named on Cumberland river, for the purpose of erecting the public buildings, and that the votes of the citizens be taken in order to determine which of the said places shall be the place of erecting the said buildings, is unreasonable and ought not to be granted.

JAMES MAXWELL, Chairman.

Which were read and concurred with, and sent to the house of representatives:

Mr Maxwell presented the following reports:

The committee of propositions and grievances report,

That the petition of sundry inhabitants of Carter county, who have made entries, and warrants have issued under the authority of North Carolina, for lands lying in said county, and who have had the same surveyed and returns thereof made to the secretary's office of North Carolina; and on which grants have never issued, praying an act may be passed, authorising and requiring the governor and secretary of the state of Tennessee, to issue grants on all legal warrants that have never been ripened into grants, is unreasonable and ought not to be granted.

The committee of propositions and grievances report,

That the petition of sundry inhabitants of Carter county, praying that a suspension of the law passed last session of the legislature, authorising the citizens of this state, by virtue of supernumerary warrants, to enter vacant & unappropriated lands in the bounds of this state; and also the fifth section of said law to be amended, so as to put the citizens on the same footing of those south of French Broad, is reasonable and ought to be granted.

JAMES MAXWELL, Chairman.

Which were read and non-concurred with and sent to the house of representatives.

Received from the house of representatives a bill to compel persons who may hereafter commence the practice of medicine to obtain a licence or the same, which was read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to provide for the election of President and Vice President of the United States, which was read the second time, amended, passed, and sent to the house of representatives.

Received from the house of representatives, the resignation of Henry McKianv, a justice of the peace for Jackson county, which was received.

Also, the resignation of William Cavanaugh, a justice of the peace for Smith county, which was received.

Received from the house of representatives, a bill to alter the name of a certain person therein mentioned which was read the second time, passed, and sent to the house of representatives.

Received from the house of representatives a bill to repeal part of a law passed the last session of the general assembly, entitled "an act to prevent the obstruction of certain rivers therein mentioned, which was read the second time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to divide this state into six judicial districts, which was ordered to lie on the table till Thursday next.

The house then adjourned until to morrow morning nine o'clock.

Wednesday, October 19, 1803.

Met according to adjournment.

Received from the house of representatives a bill to amend an act, entitled, an act to establish a college and incorporate the trustees thereof, in the county of Davidson which was read the third and last time, passed, and ordered to be engrossed.

Received from the house of representatives, a bill ap

pointing commissioners to fix on a place to erect a court-house, prison and stocks in Smith county, which was read the third and last time, passed, and ordered to be engrossed.

Received from the house of representatives, a bill supplementary to an act, entitled "an act establishing code of law and for regulating proceedings therein," so far as respects the county courts, which was read the first time, passed, and sent to the house of representatives.

Mr. Gals presented a petition from sundry inhabitants of Greene county, praying, that some plan may be adopted to prevent injuries arising from stud horses being permitted to run at large, which was read, referred to the committee of propositions and grievances, and sent to the house of representatives.

Received from the House of Representatives, a bill to appoint notaries public, which was ordered to lie on the table for the order of the day to morrow.

Received from the house of representatives, a bill to restore Wilson county to its constitutional limits, which was read the third and last time and ordered to be engrossed.

Received from the house of representatives a bill to separate the counties of Davidson and Williamson into three separate and distinct counties, which was read the third and last time, passed, and ordered to be engrossed.

Received from the house of representatives a bill to appoint commissioners to purchase a place on the bluff of the river, in the town of Nashville, for the purpose of building thereon a district and county jail, &c. which was ordered to lie on the table till Saturday next.

Received from the house of representatives, a bill to authorise sheriffs in the different counties in this state, to make titles to lands sold by former sheriffs, who have failed to make titles thereto, which was withdrawn by Mr. Gals for amendment.

Received from the house of representatives, a petition of the inhabitants of Smith county remonstrating against any part of county being added to Jackson, read and referred to the committee of propositions and grievances.

Received from the house of representatives, the following report of the committee appointed to take into consideration the communications of governor Reane relative to the Virginia and Tennessee line.

The committee report, that they think it proper to con-
firm the line agreed on by the commissioners of said States,
and do further report, that the commissioners together with
surveyors and markers, heretofore appointed to run said
mentioned line, between this State and Virginia, be allow-
ed for their services such sums as were stipulated by law,
and do deem it right and just to have such other sums ap-
propriated, as will be sufficient to meet the expenditures in-
curred in establishing said line.

J. RUSSELL, Chai. man.

Which was read and concurred with.

Received from the house of representatives, the peti-
tion of sundry people of Knox county praying an additional
battalion to be established, which was read and referred
to the committee of propositions and grievances.

Received from the house of representatives, a bill to
suspend the operation of an act passed at Knoxville in the
year 1799, establishing offices for receiving entries for
claims of vacant lands, &c. which was read the first time,
passed and sent to the house of representatives.

Received from the house of representatives, a bill
to relieve Thomas Menefee and Jacob Rhoads from a
forfeited recognizance, which was read the second time,
passed, and sent to the house of representatives.

Received from the house of representatives, a bill
for the better security of the trial by jury in the superior
courts, which was read the second time, amended, passed,
and sent to the house of representatives.

Received from the house of representatives, a bill to
continue in force an act passed by the general assembly of
this State, sixth day of November, one thousand eight hun-
dred and one, entitled, an act for the relief of such persons
as have suffered or may suffer by their grants, deeds or
other conveyances not being proved or registered within
this State, which was read the second time, amended,
passed, and sent to the house of representatives.

Mr. Smith moved for leave and presented a bill to au-
thorise the county courts to privilege persons to erect gates
across high ways, which was read the first time, passed and
sent to the house of representatives.

The bill to amend an act, entitled "an act to regulate
the proceedings of the courts of equity, and for amend-

at of the law, was taken up and read the third and last time, and with the concurrence of the house of representatives was amended and passed, and ordered to be engrossed. The bill to ascertain the true boundary line between the counties of Carter and Sullivan, was taken up and read, on motion of Mr. Rutledge, seconded by Mr. Nichols, was ordered that this bill lie over until the next general assembly.

Received from the house of representatives the petition of William Nodding, praying that he may be permitted to liberate certain slaves as therein mentioned, without giving bond to indemnify the county, &c. which was read, referred to the committee of propositions and grievances.

Mr. Taylor moved for leave and presented a bill to authorize the court of Carter county to appoint one or more commissioners to run and designate such parts of the line of said county as they think expedient, which was read the first time, passed, and sent to the house of representatives.

Received from the house of representatives a bill for appointing additional commissioners, and regulating the town of Newport in the county of Cocke, which was read the first time, passed, and sent to the house of representatives.

The house then adjourned until to morrow morning nine o'clock.

Thursday, October 20, 1803.

House met according to adjournment.

Mr. Jack moved for leave and presented a bill to amend an act passed at Knoxville, the twenty ninth of October, one thousand eight hundred and one, entitled "an act to establish the town of Rutledge in the county of Grainger, and make valid all deeds already made by the acting commissioners of said town, to the purchasers of lots in the same, and also to confirm their contracts for the purpose of erecting a court house, prison and docks in said town, and also to compensate said commissioners for their trouble and expence, which was read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to

empower John M'Nairy, esq. to enclose the French Lien near Nashville, which was read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to repeal the second section of an act entitled "an act respecting dollars and cents &c. passed at Knoxville, January the fifth, one thousand seven hundred and ninety nine which was read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to repeal an act directing the mode of preferring memorials to the general assembly for the division of counties and fixing court houses. passed April 23, 1799 which was read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to alter the name of a certain person therein mentioned which was read the third and last time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to authorize the several county courts to privilege persons to erect gates across the high ways, which was read the second time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to purchase for the State of Tennessee the patent right of Eli Whitney & Phineas Miller of a machine or new invention for cleaning cotton, commonly called the saw gin, which was read the third and last time, and on motion of Mr. Weakley, it was ordered, that said bill be amended, by striking out the word "two," in the fifth section of said bill, immediately before the word machines, and insert in the room thereof, "one," and to insert the following words, "and also one at the town of Nashville;" in the said section—and at the conclusion of the first proviso in said section, to adopt the words "provided nevertheless, that no money shall be drawn from the treasury of this state, until the said machines are delivered agreeable to this act;" and a message to that effect was sent to the house of representatives, requesting their concurrence, to which amendment they gave their consent, and messrs Wharton and Crenshaw came from the house of representatives to see them

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made. The bill was accordingly amended, and passed the third and last time, and ordered to be engrossed.

Received from the house of representatives, a bill to repeal part of a law passed last session of the general assembly of this state, entitled an act to prevent the obstruction of the navigation of certain rivers therein mentioned, which was read the third and last time, passed and ordered to be engrossed.

Received from the house of representatives, a bill for the relief of such persons as have suffered, or may suffer by not having their grants, deeds, meane conveyances or other instruments of writing recorded in this state, was read the third and last time, passed, and ordered to be engrossed.

Received from the house of representatives, a bill to authorize the county of Carter to appoint one commissioner to run and designate such parts of the lines of said county, as they think expedient, which was read the second time passed and sent to the house of representatives.

Received from the house of representatives, a bill to exempt the members of Greenville college from militia duty, which was read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill appointing additional commissioners, and for the regulating the town of Newport, in the county of Cocke, which was read the second time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill authorizing a lottery in the town of Nashville, which was read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, a bill to compel the several clerks and masters of the courts of equity, clerks of the superior courts of law, and clerks of the county courts of pleas and quarter sessions in this state, to keep their offices at their respective court-houses, which was read the first time passed and sent to the house of representatives.

Received from the house of representatives, a bill vesting part of Robertson and Montgomery counties into a

separate and distinct county, which was read the third and last time, passed, and ordered to be engrossed.

The bill to divide this state into six juridical districts, was read the second time, passed and sent to the house of representatives.

The committee of propositions and grievances made report—

That the petition of William Nodding, praying a law to be passed authorizing him to manumit or set free his slaves under the age of thirty five years, without giving bond and security as by law required, is unreasonable and ought not to be granted.

That a petition of a number of inhabitants of Smith county, praying that said county shall not be divided by Cumberland river, is reasonable and ought to be granted.

That the petition of captains Flanigan, Hasket and Armstrong's companies, praying to have a separate battalion muster granted them at the junction of Holston and French Broad rivers in place of captain Kain's, is reasonable and ought to be granted.

The committee to whom was referred the petition from Greene praying that stud horses should not run at large to the injury of the citizens, is reasonable and ought to be granted.

The committee to whom was referred the petition from Carter county, praying, that horse racing may be made lawful, report, that it is unreasonable and ought not to be granted.

JAMES MAXWELL, Chairman.

Which were read and concurred with, and sent to the house of representatives.

Mr. Gass, who withdrew for amendment the bill to authorize the sheriffs in the different counties in this state to make titles to lands sold by former sheriffs who have failed to make titles thereto, returned the same, and moved to amend the same by striking out from the words "a bill," and adopting in room thereof an amendment by him proposed, which was agreed to by the senate; the bill was then read the third and last time, and a message was sent to the house of representatives informing them of the amendment, and asking their concurrence therewith; an answer

amendment was received from the house of representatives, notifying the senate with their non concurrence with said amendment.

The bill was then ordered to lie on then table till to morrow.

The house adjourned until to morrow morning nine o'clock.

Friday, October 21, 1803.

House met according to adjournment.

Received from the house of representatives, a bill to authorise the county courts to privilege persons to erect gates across high ways.

Ordered, that the bill be read, which was read the third and last time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to empower John M'Nairy, to enclose the French Lick near Nashville, which was read the second time, passed, and sent to the house of representatives.

Mr. Taylor moved for leave and presented a bill to appoint an additional commissioner to the town of Elizabethtown, in the county of Carter, which was read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to repeal the second section of an act entitled, "an act respecting dollars and cents, &c. passed at Knoxville, January the fifth, one thousand seven hundred and ninety-nine, which was read, and amended from the words, "a bill," and sent to the house of representatives.

Received from the house of representatives, a bill to repeal an act directing the mode of preferring memorials to the general assembly for the division of counties and fixing court houses, passed April 23, 1796, which was read the second time, and rejected.

Mr. Gas moved for leave and presented a bill authorising the trustee of Greene county not to pay certain monies therein mentioned, which was read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to relieve Thomas Menefee and Jacob Rhodes from a for-

Yelled recognition, which read the third and last time and ordered to be engrossed.

Received from the house of representatives, a bill to empower the county of Sevier to lay an additional tax for the purpose of repairing the court house, prison and docks, in said county, and for employing some persons to make the necessary repairs, and for keeping the same, which was read the second time, amended, passed, and sent to the house of representatives.

Received from the house of representatives, a petition of a number of inhabitants of Jackson, praying their county to be restored to its constitutional limits, which was read and referred to the committee of propositions and grievances.

Received from the house of representatives, a petition of the people of Smith county, praying to have their county restored to its constitutional limits, which was read and referred to the committee of propositions and grievances.

Received from the house of representatives, the petition of Frederick Debe, praying to be relieved from an injury occasioned by a warrant for his land having been fraudulently taken from him, which was read and referred to the committee appointed to report on the land law.

Received from the house of representatives, a bill to amend an act, passed at Knoxville October 29, 1801, entitled, an act to establish the town of Rutledge, in Gander county, which was read the second time passed and sent to the house of representatives.

The bill to prohibit the practice of bringing slaves into this state as articles of merchandise, was ordered to lie on the table till to morrow.

Received from the house of representatives a bill to appoint a tax collector public, which was read the third time, and on motion of Mr. Jack, was ordered to lie on the table till to morrow.

Received from the house of representatives the following resolution:

Resolved, that the secretary of this state be directed to file in his office the copy of the patent for printing & vending the constitution, granted to Eli Whitney by the U. S. government.

Which was read and concurred with, and a motion to go into

to the House of representatives, notifying them thereof.

Mr. Maxwell moved for leave and presented a bill, most effectually to prevent the profanation of the Lord's day, commonly called the Sabbath, which was read the first time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to suspend the operation of an act, passed at Knoxville, in the year 1799, for the establishing offices for the receiving entries of claims of all vacant lands, &c. which was ordered to lie on the table until the committee appointed to examine the land law, report.

Received from the house of representatives, the resignation of Thomas Smith, as a justice of the peace for Smith county, which was accepted.

Mr. Taylor moved for leave and presented a bill declaring void part of the second section of an act, entitled, and to define the jurisdiction of justices of the peace, and for other purposes therein mentioned, which was read the first time, passed, and sent to the house of representatives.

On motion of Mr. Smith, Mr. Taylor was added to the committee appointed to contract with a printer, and a message was sent to the house of representatives, informing them thereof.

The House adjourned until to-morrow nine o'clock.

Saturday, October 22, 1803.

The house met according to adjournment.

Mr. Gale moved for leave and presented a bill to impose a fine on any person who publicly denies the being of God, a future state of rewards and punishments, or the divine authority of the old and new testaments, which was read the first time, passed and sent to the house of representatives.

The bill to appoint commissioners to purchase a place on the bluff of the river, in the town of Nashville, for the purpose of building thereon a district and county jail, &c. was taken up, read the second time, passed, and sent to the house of representatives.

A message from the House of Representatives.

Mr. Speaker and gentlemen of the Senate,

This house concurs with your addition of Mr. Taylor

the committee to contract with a printer. The bill added messrs. Wharton and Menzies on the part of the house.

Received from the house of representatives, a petition of a number of inhabitants of Knox county, south of Mill river, praying a road to be kept open to the ford of said river, opposite the town of Knoxville; read and referred to the committee of propositions and grievances.

Received from the house of representatives, the following answer of the committee appointed to report on the communication of his excellency John Sevier.

To his Excellency John Sevier,

SIR,

The general assembly have received, have duly weighed and have well appreciated your very interesting communication of the seventh ult.

The general assembly feel in all its force the weighty obligations imposed upon them by the calls of their constituents whose interests will ever be near to them; and they will do every effort to adopt the salutary means by which those interests are to be cherished. Some of the statutes of Great Britain, it is true, were enacted in an age of tyranny and usurpation; yet having been in a great measure ingrafted into the American code of laws, will require the most accurate investigation to separate them from our civil code. Happily our wise constitution has guarded against their influence in religious concerns; equally happy for America is it, that the constitutions of the several States are founded on republican principles, and that grand bulwark of all the constitution of the United States, has guaranteed their invaluable blessings to them. The legislature is proud to say, that the shackles of British common law is as little felt here as in any State in the union; and this legislature pledges as themselves, that the sons of Tennessee will be foremost in breaking all such improper barriers to freedom. The legislature feel with you, sir, the necessity of providing for that valuable and worthy class of citizens, resident North of Tennessee, whose services in the cause of their country are deeply impressed on the minds of every one acquainted with the settlement of the country, to be easily forgotten.

case shall be promptly and early laid before the government, by the delegation from this State. The finances of this State are under investigation, and will meet with due attention. It is with extreme pain this Legislature have to notice the most atrocious murder of Runnels. Every aid in the power of the general assembly will be cheerfully rendered, in co operation with the executive, to bring the perpetrators to condign punishment. The importance of communication between this State and our sister States, is of too prominent a nature to be overlooked; the most rigid attention to this point, will meet with legislative observation. The general assembly will with pleasure cooperate with you in every means that will tend to promote the honor, dignity and prosperity of the State of Tennessee.

THOMAS A. CLAIBORNE, CL.

A bill more effectually to prevent the profanation of the Lord's day, commonly called the Sabbath, was read the second time, passed and sent to the house of representatives.

Received from the house of representatives, a bill to appoint an additional commissioner to the town of Elizabethtown, in the county of Carter, which was read the second time, passed and sent to the house of representatives.

Mr. Galt presented a bill giving more special powers to the commissioners for the regulation of the town of Greensville and to authorize the court of Greene county if they think expedient to lay an additional tax for the sole purpose as herein contemplated, which was read the first time, passed, and sent to the house of representatives.

Mr. Nichol moved for leave of absence until Monday twelve o'clock, which was granted.

The bill to prohibit the practice of bringing slaves into this State as articles of merchandise, was ordered to lie on the table till Monday next twelve o'clock.

The bill to appoint notaries public, was withdrawn by Mr. Jack for amendment.

Mr. M. Minn, who withdrew for amendment the bill to consolidate the treasury departments into one office, and to be kept at the seat of government, returned the same, which was amended, and read, and withdrawn by Mr. Stewart for further amendment.

Received from the house of representatives, a bill providing for the appropriation of certain fines and forfeitures arising from an act passed in general assembly of this state, the 26th day of October, 1799, entitled, an act to suppress excessive gaming, which was read the first time, passed, and sent to the house of representatives.

A bill to amend an act passed at Knoxville, the twenty ninth of October, one thousand eight hundred and one, entitled "an act to establish the town of Rutledge," was read the third and last time, passed, and sent to the house of representatives.

A bill to authorize the sheriffs in the different counties in this state to make titles to land sold by former sheriffs, who have failed to make titles thereto, was read the third time and rejected.

Received the following message from house of representatives,

Mr. Speaker and Gentlemen of the Senate,

This house have adopted the following resolution, to which they ask your concurrence.

Resolved, that a committee be appointed to draft instructions to be sent to our representatives in the Congress of the United States, expressive of our wishes relative to that part of this state, claimed by the Chickasaw and Cherokee tribes of Indians.

We have appointed messrs. Kennedy and Foster that purpose.

Which resolution was read and concurred with, and Mr. Jack was appointed on the part of this house.

A bill declaring void part of the second section of an act, entitled, an act to define the jurisdiction of justices of the peace, and for other purposes, was read the second time, and ordered to lie on the table till Monday next at ten o'clock.

Received from the house of representatives, a bill authorizing a lottery in the town of Nashville, which was read the second time, passed, and sent to the house of representatives.

A bill authorizing and requiring the trustee of Greene county not to pay certain monies therein mentioned, was read the second time and rejected.

The yeas and nays being called for;

Those who voted in the negative, were,
 M^{rs}. Doherty, Taylor, Maxwell, Jack, Stuart, Hays
 & Smith.

In the affirmative,
 Mr. Gass.

Mr. Gass moved to have his reasons entered on the
 journal, which were as follows :

My reason for voting in favour of the bill which was re-
 p^{re}sented, requiring the trustee for the county of Greene not
 to pay sixty dollars to the solicitor of said county, for one
 year is, because, in my opinion, the said court exceeded
 their powers in said appropriation, as there is no law in
 this State, authorising them so to do.

JOHN GASS.

A bill to empower John M'Nairy, to enclose the French
 Lick near Nashville, was ordered to lie on the table till
 Monday next.

A bill to authorise the court of Carter county to appoint
 one commissioner to run and designate such parts of the
 lines of said county as they may think expedient, was read
 the third and last time, passed, and sent to the house of re-
 presentatives.

A bill appointing additional commissioners, and for regula-
 ting the town of Newport in the county of Cocke, was
 read the third and last time, passed, and ordered to be en-
 grolled.

A bill supplementary to an act, entitled, an act establish-
 ing courts of law, and for regulating proceedings therein,
 so far as respects the county courts, was read and ordered
 to lie on the table till Monday next.

The House then adjourned until Monday morning nine
 o'clock.

Monday, October 24, 1803.

The house met according to adjournment.

Mr. Weakley presented a bill to repeal that part of
 the 5th section, of an act entitled, an act for the regulation
 of the town of Nashville, passed Nov. 10, 1801, which is
 herein after mentioned, which was read the first time, passed
 and sent to the house of representatives.

Mr. Weakley presented a bill altering the names of certain persons therein mentioned, which was read the first time, passed, and sent to the house of representatives.

Mr. Stewart presented a bill to ascertain the true boundary line between this state and the state of Kentucky, which was read the first time, passed and sent to the house of representatives.

Mr. Smith presented a bill to exonerate Nicholas Conrad from a fine in the county of Wilson, which was read the first time, passed and sent to the house of representatives.

Mr. Weakley presented a bill to establish a town inutherford county, immediately in the forks of Stone's river by the name of Jefferson, which was read the first time, passed, and sent to the house of representatives.

Mr. Stewart who withdrew for amendment, a bill to prohibit any person from using words in the hearing of any slave, or person of colour, either publicly or privately, that may have a tendency to inflame their minds and induce them to insurrection, was read the second time, amended, passed and sent to the house of representatives.

Received from the house of representatives, a bill to amend the sixth section of an act making provision for the poor, which was read the second time and withdrawn by Mr. Gass for amendment.

A bill to impose a fine on any person who publicly denies the being of a God, or the divine authority of the old and new testaments, was withdrawn by Mr. Gass for amendment.

A bill for the purpose of appointing commissioners to revise the laws of this state, was read the first time, passed, and sent to the house of representatives.

A bill giving more special powers to the commissioners for the regulation of the town of Greenville, and to authorize the court of Greene county, if they think it expedient to lay an additional tax for the sole purpose as herein contemplated, was read the second time, passed, and sent to the house of representatives.

A bill to explain the fifth section of an act, entitled, an act to confirm and make good all lawful entries and warrants, and grants issued by the state of North Carolina passed at Knoxville, Nov. 24, 1807, and for other purposes.

was read the first time, passed, and sent to the house of representatives.

Received from the house of representatives the following message :

Mr. Speaker and Gentlemen of the Senate,

We herewith send you a resolution which we have adopted, to which we ask your concurrence.

Resolved, that the administration of Thomas Jefferson, President of the United States, deserves well the approbation of this legislature, having uniformly manifested great concern for the happiness and prosperity of his country and for the welfare of the western inhabitants in particular, recent proofs of which have been exhibited in the treaty relative to the Louisiana country, and that a committee be appointed to prepare an address to be forwarded to him on the occasion.

Which was read and concurred with, and the following message sent to the house of representatives.

Mr. Speaker and gentlemen of the House of Representatives,

The senate concur with your resolution approving the administration of Thomas Jefferson, President of the United States, &c. We also agree that a committee be appointed to draft an address to be forwarded to the President of the United States, expressive of our approbation of his administration; and have appointed Mr. McMillan on the part of this house for that purpose.

A message from the House of Representatives:

Mr. Speaker and Gentlemen of the Senate,

This house have appointed messrs. Menefee and Claiborne to draw up an address to the President of the United States, approving his administration.

A bill the more effectually to prevent the injuries that may result to the good citizens of this state, by uttering And horses or stud colts to run at large, and for the encouragement of the breed of horses, was read the first time, passed and sent to the house of representatives.

Received from the House of representatives, a bill to compel the several clerks and masters of the courts of equity, clerks of the superior courts of law, and clerks of the county courts of pleas and quarter sessions in this state,

to keep their offices at their respective court houses, which was read the second time and ordered to lie on the table.

A bill to amend an act, entitled an act concerning elirays, was read the first time, passed and sent to the house of representatives.

A bill to compel the attendance of witnesses before justices of the peace upon trial of warrants, and also before commissioners appointed to take depositions, was read the first time, passed and sent to the house of representatives.

A bill to appoint an additional commissioner to the town of Elizabethtown, in Carter county, was read the third time, passed, and sent to the house of representatives.

A bill for the appropriation of certain fines and forfeitures arising from an act passed in general assembly of this state, October 26th, one thousand seven hundred and ninety nine, entitled "an act to suppress excessive gaming," was read the second time, passed and sent to the house of representatives.

A bill to permit William Nodding to emancipate certain slaves, &c. was read the first time, passed and sent to the house of representatives.

Mr. Maxwell from the committee of propositions and grievances presented the following report :

That the petition of sundry inhabitants resident south of Holston and French Broad rivers, praying that the road leading to the ford opposite to Knoxville, be kept open, is reasonable and ought to be granted.

JAMES MAXWELL, Chairman.

Which was read and concurred with, and sent to the house of representatives.

A bill more effectually to prevent the profanation of the Lord's day, commonly called the Sabbath, was read the third and last time, passed and sent the house of representatives.

Mr. Weakley presented the petition of James Hamilton, praying leave to build a mill on Stone's river, which was read and referred to the committee of propositions and grievances.

A bill authorizing John M'Nairy, esquire, to enclose the French lick, near Nashville, and also to authorize Will

Andersen, esq. to enclose Denton's lick, in Davidson county, was read the third and last time, passed, and ordered to be engrossed.

Received from the house of representatives the report of the committee of finance as follows:

The committee of finance, report,

That on settling the accounts of John Maclin, treasurer for the districts of Washington and Hamilton, they find he has received into the treasury, since his last settlement with the legislature, twenty thousand eight hundred and twenty nine dollars twenty cents, of monies collected for the years one thousand eight hundred and one, and one thousand eight hundred and two, including the sum of two thousand one hundred and sixty one dollars thirty three cents, which was left in the treasury at the said settlement, and also including five hundred and seventy one dollars sixteen cents which remained due at that time, from the collectors for the years one thousand seven hundred and ninety nine, and one thousand eight hundred, and that the said John Maclin has taken up warrants, drafts, &c. chargeable on the public moneys, to the amount of eleven thousand five hundred and seventy nine dollars and twenty cents, including the treasurer's commissions of three per cent. on ten thousand six hundred and sixty seven dollars eighty seven cents, and that there is a balance of one thousand two hundred and fifty dollars specie, remaining in the treasury.

The committee further report, that they find that there are balances, to the amount of three hundred and eighty seven dollars forty nine cents due the treasury from the collectors for the year one thousand eight hundred and two, that Richard Mitchell, clerk of Hawkins county, has not yet settled his accounts for the taxes by him collected in law proceedings, for said year of one thousand eight hundred and two.

Amount collected for the years 1801 and 1802 and paid into the Treasury. } 10096 71

Balance remaining in the treasury at the last settlement between the collector and the treasurer. } 2161 32

Amount due to the treasury at the last settlement from the collectors, for the years 1799 and 1800.

12819 20

Warrants chargeable on the public taxes and taken up.

11579 20

Cash now in the treasury.

1250

Amount due to the treasury from the collectors of public taxes for the year 1802, for which sum the treasurer is to be hereafter accountable, exclusive of the amount due from the clerk of Hawkins county.

The committee further report, that there is a further sum of sixteen dollars sixty one cents remaining in the treasury, on account of a sum deducted from the treasurer's commissions, on a mount of the commissions of the sheriffs, clerks, and registers, for collecting the public taxes, they think he is not entitled to by law.

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Received from the house of representatives, a bill to repeal the second section of an act entitled, "an act respecting dollars and cents, &c. passed at Knoxville, January the fifth, one thousand seven hundred and ninety nine, which was read the third and last time, passed, and ordered to be engrossed.

Received from the house of representatives, a bill to empower the county of Sevier to lay an additional tax for the purpose of repairing the court house, prison and docks, in said county, and for employing some person to make the necessary repairs, and for keeping the same, which was ordered to lie on the table.

Mr. Jack who withdrew for amendment, a bill to appoint notaries public, returned the same, which was read the third and last time, when Mr. Gass moved to amend the same by striking out the words "juridical district," in the first section, and inserting in the room thereof, "county," and by striking out the word "district," in the second section of said bill, and inserting in the room thereof

country," and by striking out the words "at the court house of the district," in the last section, and insert in the room thereof "at the court house or place of holding court in the county."

Which was adopted, and a message sent to the house of representatives, asking their concurrence therewith.

Received from the house of representatives, the following message,

Mr. Speaker and Gentlemen of the Senate,
This house do not concur with your proposed amendment to the bill to appoint notaries public.

The bill was then passed without the amendment, and ordered to be engrossed.

Mr. Weakley presented a number of claims of Thomas Luthertford, jailor of Davidson county, which was referred to the committee of claims, and sent to the house of representatives.

The house adjourned til tomorrow nine o'clock.

Tuesday, October 25, 1803:

The House met according to adjournment.

A bill concerning roads and ferries, was read the first time passed and sent to the house of representatives.

Mr. Weakley presented a memorial of William Nash, praying that he may have leave to extend the lines of a certain tract of land granted to him, so as to take in the quantity of land contemplated by the original location, which was read and referred to the committee of propositions and grievances.

A bill to prohibit the practice bringing slaves into this state as articles of merchandise, was read the third time and rejected.

The yeas and nays being called for,

Those who voted in the negative, were,

Messrs. Nichol, Doherty, Taylor, Jack, Galt, Stewart, Rutledge.

Those who voted in the affirmative, were,

Messrs. Maxwell, M'Minn and Smith.

Mr. Galt who withdrew for amendment, the bill to amend the sixth section of an act, entitled, an act relating pro-

Wilson for the peer, returned the same, which was read the second time, and rejected.

Mr. Gasi, who withdrew for amendment, the bill to impose a fine on any person, who publicly denies the being of a God, a future state of rewards and punishment, or the divine authority of the old and new testament, returned the same, which was read the second time, amended, passed, and sent to the house of representatives.

A bill to repeal that part of the 5th section of an act for the regulation of the town of Nashville, passed November 10, 1801, which is herein after mentioned, was read the second time, passed, and sent to the house of representatives.

A bill to alter the names of a certain persons therein mentioned, was read the second time, passed, and sent to the house of representatives.

A bill to ascertain the true boundary line between this state and the state of Kentucky, was read the second time, amended, passed, and sent to the house of representatives.

A bill to establish a town in Rutherford county, immediately in the forks of Stone's river, by the name of Jefferson, was read the second time, passed and sent to the house of representatives.

A bill to prevent any person from using words in the hearing of slaves or persons of colour, either publicly or privately, that may have a tendency to inflame their minds, or induce them to insurrection, and for other purposes, was read the third and last time, passed and sent to the house of representatives.

A bill to exonerate Nicholas Conrad, from a fine in Wilson county, was read the second time, passed and sent to the house of representatives.

A bill to compel the several clerks and masters of the courts of equity, clerks of the superior courts of law, and clerks of the county courts of pleas and quarter sessions in this state to keep their offices at their respective court houses, was read the second time, amended, and ordered to lie on the table till to-morrow.

A bill supplementary to an act establishing courts of law and for regulating the proceedings therein, so far as respects the county courts, was read the third and last time, passed and sent to the house of representatives.

Mr. Weakley moved for leave and presented, a bill supplementary to an act erecting Davidson and Williamson counties, into three separate and distinct counties, which was read the first time, passed, and sent to the house of representatives.

A bill to authorise the executive of this state to send an agent on the part of this state, to the state of North Carolina, for the purpose of finally settling the disputes between this state and North Carolina, and obtain from thence certain documents, was read the first time, passed and sent to the house of representatives.

A bill to provide for the better security of the trial by jury in the superior courts, was withdrawn by mr. Weakley for amendment.

A bill declaring void part of the second section of an act, entitled, an act to define the jurisdiction of justices of the peace, and for other purposes, was read the second time, passed, and sent to the house of representatives.

A bill empowering the county court of Sevier to lay an additional tax for repairing the court house, prison and stocks in said county, and for employing some person to make the necessary repairs and for keeping the same, was withdrawn by mr. Nichol for amendment.

A bill to provide for the election of a President and Vice President of the United States, was read the third time and ordered to lie on the table.

A message from the House of Representatives.

Mr. Speaker and gentlemen of the senate,

We herewith send you a resolution which we have adopted, to which we ask your concurrence.

Resolved, that it is the opinion of this legislature a committee be appointed to draw up a memorial to the congress of the United States, relative to the lands claimed by the Chickalaw and Cherokee tribes of Indians.

Which were read and concurred with, and the following message sent to the house of representatives.

Mr. Speaker and Gentlemen of the House of Representatives,

The senate concur with your proposed resolution for drawing up a memorial to Congress, &c. and have appointed messrs Jack and M'Mann as a committee on the part of this house for that purpose.

Received from the House of Representatives the following message,

Mr. Speaker and Gentlemen of the Senate.

This house have appointed messrs. Wharton, Kennedy, and Foster for the purpose of drawing up a memorial to the Congress of the United States, relative to the tract of country claimed by the Chickasaw and Cherokee tribes of Indians.

Mr. Jack presented a bill for confirming the boundary line between this state and the state of Virginia, as settled and designated by certain commissioners, and for appropriating certain monies therein mentioned, which was read the first time, passed, and sent to the house of representatives.

The following bills were received from the house of representatives, engrossed and examined; and being signed by the speaker of the house of representatives, were signed by the speaker of the senate.

An act to purchase for the state of Tennessee, the patent right of Eli Whitney and Phineas Miller, of a machine or new invention for cleaning cotton, commonly called a saw gin.

An act to appoint notaries public.

An act restoring Wilson county to its constitutional limits.

An act authorizing the several county courts in this state, if they think it expedient, to lay a tax for the purpose of procuring a standard of weights and measures.

An act for the relief of such persons as have suffered, or may suffer by not having their grants, deeds, meane conveyances or other instruments of writing registered within this state.

An act to repeal part of the second section of an act, entitled, an act respecting dollars and cents, and contracts, and the manner of keeping accounts, passed fifth January, 1799.

An act to amend an act, entitled an act to regulate the proceedings of the courts of equity and for amendment of the law.

An act to erect the counties of Davidson and Williamson into three separate and distinct counties.

An act to amend an act, entitled, an act to establish a

college, and incorporate the trustees thereof, in the county of Davidson.

An act erecting part of Robertson and Montgomery counties into a separate and distinct county.

An act to release Thomas Menefee and Jacob Rhoads from a forfeited recognizance.

An act appointing commissioners to fix on a place to erect a court house, prison and stocks in Smith county.

The House adjourned until to morrow nine o'clock.

Wednesday, October 26, 1803.

Met according to adjournment.

Mr. Weakley, who withdrew for amendment, a bill for the better security of the trial by jury in the superior courts, returned the same, which was read the third and last time, and on motion of Mr. Weakley, the amendment hereafter mentioned was adopted, and the following message was sent to the house of representatives.

Mr. Speaker and gentlemen of the house of representatives;

The senate have read for the third and last time the bill for the better security of the trial by jury in the superior courts, and propose amending the same in the first section, by striking out the following words, "after which proclamation, it shall be the duty of the clerk of the court to record the names of the justices then sitting in court, and return the number of said justices then present, to the court then sitting; together with the number of jurors to be returned, which said number of jurors shall be divided as equally as possible among the then sitting justices, beginning with the names of the justices, and proceeding in the order in which they stand on the clerk's minutes; and in case there shall be an odd number, after dividing as aforesaid, such odd number shall be appropriated in addition, one to each justice, as far as they go in order aforesaid, provided in case there be more justices sitting in court than there are jurors to be returned, each justice shall nominate one as far as they go, in the order aforesaid; after which the said clerk shall state to the said justices the number of jurors appropriate to each,

to be nominated by each justice then sitting, who shall then proceed to nominate, write down and hand to the clerk, three times the number of freeholders so as aforesaid appropriate to each justice." And propose inserting in lieu thereof the following words, viz. "after which, each justice shall proceed to nominate, write down, and hand to the clerk the names of three freeholders, and should they not amount to the number of jurors appropriate to the county, then each justice shall in like manner write down, nominate and hand to the clerk the name of one other freeholder." And by striking out in the second and third sections the word "land," preceding the word "such." It you agree to these amendments send two of your body to see the same made.

To which amendment the house of representatives did concur, and messrs Wharton and Nelson came from the house of representatives to see the amendments made; the bill was then amended, passed and ordered to be engrossed.

A bill empowering the county court of Sevier to lay an additional tax for the purpose of repairing the court house, prison, and stocks in said county, and for employing some person to make the necessary repairs, and for keeping the same, was read the third and last time, passed, and sent to the house of representatives.

Mr. Doherty presented a petition of sundry inhabitants of Jefferson county, praying, that Jacob Peck may be appointed surveyor for said county, in the room of the former surveyor, stated in said petition to have removed, which was read and referred to the committee of propositions and grievances.

Mr. Doherty presented a bill authorising the court of Jefferson county, if they think it expedient, to lay a tax for building a court house, and for appointing an additional commissioner for the town of Dandridge, which was read the first time, passed, and sent to the house of representatives.

The bill to divide the state into six juridical districts, was read the third and last time, and on motion of mr. Galt, seconded by mr. Rutledge, it was ordered, that the bill lie over until the next general assembly.

The yeas and nays being called for,

Those who voted in the affirmative, were,

Messrs. Nichol, Doherty, Taylor, Gass, M^r Minn and Rutledge—6.

Those who voted in the negative, were,
Messrs. Weakley, Maxwell, Jack, Stewart, Smith—5.

A bill supplementary to an act for the regulation of the town of Jonesborough, &c. was read the first time, passed, and sent to the house of representatives.

A bill to prevent practitioners and student of medicine from serving on juries, was read the first time, passed and sent to the house of representatives.

A bill to require the court of Knox county to open a certain road therein mentioned, was read the first time, passed and sent to the house of representatives.

A bill to compel the attendance of witnesses before justices of the peace upon trial of warrants, and also before commissioners appointed to take depositions, was withdrawn by Mr. Weakley for amendment.

A bill to regulate the descent of real estates, to make provision for widows, directing the mode of devises, and for distributing the personal property of intestates, was read the first time, passed and sent to the house of representatives.

A bill for the relief of Elijah Humphreys, was read the first time, passed, and sent to the house of representatives.

A bill to repeal that part of the 5th section of an act, entitled, an act for the regulation of the town of Nashville, passed Nov. 10. 1801, which is herein after mentioned, was read the third and last time, passed, and sent to the house of representatives.

A bill to establish a town in Rutherford county, immediately in the forks of Stone's river, by the name of Jefferson, was read the third and last time, passed, and sent to the house of representatives.

A bill giving more special powers to the commissioners for the regulation of the town of Greeneville, and to authorize the court of Greene county, if they think it expedient, to lay an additional tax for the sole purpose as herein contemplated, was read the third and last time, passed, and sent to the house of representatives.

A bill supplementary to an act establishing courts of law and for regulating the proceedings therein, so far as rel-

pears the county courts, was read the third and last time and ordered to lie on the table.

A bill to exonerate Nicholas Conrad, from a fine in Wilson county, was read the third time and ordered to lie on the table.

A bill to compel the several clerks and masters of the courts of equity, clerks of the superior courts of law, and clerks of the county courts of pleas and quarter sessions in this state to keep their offices at their respective court houses was ordered to lie over until the next general assembly.

A bill for the purpose of appointing commissioners for revising the laws of this state, was read the second time amended, passed and sent to the house of representatives.

A bill to alter the names of certain persons therein mentioned, was read the second time, passed and sent to the house of representatives.

A bill the more effectually to prevent the injuries that may result to the good citizens of this state, by suffering stud horses or stud colts to run at large, and for the encouragement of the breed of horses, was read the second time and withdrawn by Mr. Gass for amendment.

A bill to ascertain the true boundary line between this state and the state of Kentucky, was read the third and last time, passed, and sent to the house of representatives.

Mr. Jack presented a bill supplementary to an act passed at Knoxville, the 13th of November, 1801, prohibiting any state's attorney or solicitor of a county from preferring a bill of indictment without a prosecutor, which was read the first time, passed and sent to the house of representatives.

Mr. Maxwell from the committee of propositions and grievances, presented the following report, viz

The committee to whom was referred the petition of William Nash, praying that he have leave to extend his survey so as to include the quantity called for in his grant report that the same is unreasonable, unless the land adjoining is unappropriated. Should the lands adjoining said survey, be appropriated, then the committee are of opinion that he is entitled to a warrant for the deficit.

JAMES MAXWELL, Chairman.

Which was read and concurred with, and sent to the house of representatives.

Mr. Maxwell presented the following report from the committee of propositions and grievances:

The committee to whom was referred the petition of James Hamilton, praying that he may have leave to build a dam across Stone's river, is unreasonable.

JAMES MAXWELL, Ch.

Which was read and concurred with, in part, so far as that the navigation of said river shall not be stopped; but we agree that he shall have leave to build a dam across said river, with making a sufficient lock to keep open the navigation free from toll, and sent to the house of representatives.

A bill for the better establishment and regulation of the militia of this state was read the first time, passed, and sent to the house of representatives.

Received from the house of representatives, sundry claims of William MacIn, esq. secretary of state, for Stationary, &c. which were referred to the committee of claims.

A bill to confirm the boundary line between this state and the state of Virginia, as settled and designated by certain commissioners, and for appropriating certain monies therein mentioned, was read the second time, passed and sent to the house of representatives.

Received from the house of representatives, a bill providing for the appropriation of certain fines and forfeitures arising from an act passed in general assembly of this state; the 26th day of October, 1799, entitled, an act to suppress excessive gaming, which was read the third and last time and ordered to lie on the table.

Received from the house of representatives the following message:

Mr. Speaker and Gentlemen of Senate,

"This house have taken up for the third and last reading, a bill to prevent any person from using words in the hearing of any slave or person of colour," &c. and have amended the same by adding thereto a section which we have sent for your consideration. If you agree to the amendment, send two of your body to see the same made.

Which was concurred with, and the following message sent to the house of representatives,

Mr. Speaker and Gentlemen of the House of Representatives,

We agree to your proposed amendment to the bill to prohibit any person from using words in the hearing of slaves, &c. and have sent messrs. Weakley and Taylor to see the same made.

The house then adjourned until to-morrow morning nine o'clock.

Thursday, October 27, 1803.

House met according to adjournment.

Mr. Jack moved for leave and presented a bill for the punishment of the crime of counterfeiting any of the gold or silver coin current in this State, which was read the first time, passed, and sent to the house of representatives.

Mr. Weakley moved for leave and presented a bill to authorise the secretary of state to issue warrants to William Nash for sixty two acres of land, which was read the first time, passed, and sent to the house of representatives.

Mr. Weakley moved for leave and presented a bill to authorise James Hamilton to build a dam across Stone's river, under the restriction of building a lock in said dam, &c. which was read the first time, passed, and sent to the house of representatives.

A bill to authorise the court of Jefferson county, if they think expedient, to lay a tax for building a court house, and appointing an additional commissioner to the town of Dandridge, was read the second time, passed and sent to the house of representatives.

Mr. Maxwell from the committee of propositions and grievances presented the following report:

The committee of propositions and grievances report,

That the petition of sundry inhabitants of Jefferson county, praying that Jacob Peck may be appointed surveyor, in the place of Lewis Harman, who was appointed by the last legislature, and entered into bond and security for the faithful discharge thereof, who now resides in the county of Grainger, is unreasonable, because, the said Harman has appointed two deputy surveyors in said county to transact the business for him, who have entered into bond and security for the faithful performance thereof.

Which was read and concurred with, and sent to the house of representatives.

Received from the house of representatives, the petition from sundry inhabitants of Claiborne county, praying removal of the public buildings in said county, which was read, and referred to the committee of propositions and grievances.

Mr Gass presented the report of the committee appointed to contract with a printer.

The committee to whom was referred the contracting for printing the laws and journals of the present session of the general assembly, report, that George Roulstone has agreed to do the printing on the following terms, viz.

He is to print seven hundred and thirty copies of the laws of the present session of the general assembly at five cents per sheet of sixteen pages, to be trimmed, glued and covered with coloured paper.

He is also to print seventy copies of the acts of the present session of the general assembly, and bind them in leather together with seventy copies of the edition of the laws lately printed by him, for which the committee have agreed to allow him three dollars per copy.

He is also to print four hundred and fifty copies of the journals, at four cents per sheet of sixteen pages.

Should there be any laws of a public nature, that will require to be acted on shortly after the rise of the legislature, or any matter out of the journals, they shall be printed in the gazette, and an authentic copy forwarded to each of the clerks of the courts.

The laws are to be delivered to the clerks of each county, within four months after receiving the copies of the laws at his office, and the journals as soon as can be forwarded.

JOHN GASS, CH.

Which was read and concurred with, and sent to the house of representatives.

Mr M'Nion presented a bill providing for the payment of witnesses attending superior and county courts on behalf of the state, which was read the first time, passed, and sent to the house of representatives.

A bill providing for the appropriation of certain fines and forfeitures arising from an act passed in general assembly of this state, October 26 h, one thousand seven hundred & ninety nine, entitled, "an act to suppress excessive

gaining," was read the third and last time, and on motion of Mr. Jack, said bill was amended, by inserting the word "within the meaning of the above recited act," in the second section, immediately after the word "play."

The following message was sent to the House of Representatives:

Mr. Speaker and Gentlemen of the House of Representatives,

We have read for the third and last time a bill providing for the appropriation of certain fines, &c. and propose amending the same in the second section, which reads thus, "that any person who shall play at any of the games," &c. by inserting immediately after the word "play," the words "within the meaning of this act." If you agree to this amendment, send two of your body to see it made.

A message from the House of Representatives:

Mr. Speaker and Gentlemen of the Senate,

This house concurs with your proposed amendment to the bill providing for the appropriation of certain fines and forfeitures, &c. and have sent messrs. Campbell and Haines to see the same made.

The bill was then read the third and last time, passed and ordered to be engrossed.

Mr. Taylor presented a bill to repeal such parts of an act encreasing the jurisdiction of justices of the peace and regulating proceedings therein, passed at Knoxville, October 23. 1799, as are not repealed, and for other purposes therein mentioned, which was read the first time, passed and sent to the house of representatives.

A bill supplementary to an act, entitled, an act for establishing courts of law and regulating proceedings therein, so far as respects the county courts, was read the third and last time, and on motion of Mr. Gass an additional section was added to said bill, and the following message was sent to the house of representatives.

Mr. Speaker and Gentlemen of the House of Representatives,

The senate have read for the third and last time, the bill supplementary to an act establishing courts of law and regulating proceedings therein, so far as respects the county courts, and propose amending the same by adding a further section to said bill in these words, "Be it enacted, that

several constables attending the said courts shall be born in chief." If you agree to this amendment, send two of your body to see it made.

Received the following message from house of representatives,

Mr. Speaker and Gentlemen of the Senate,

This house concur with your proposed amendment to the bill supplementary to an act, entitled, an act for establishing courts of law and regulating proceedings therein so far as respects the county courts, and have sent messrs. Kennedy and Kennor to see the same made.

The bill was accordingly amended, passed and ordered to be engrossed

The yeas and nays being called for,

Those who voted in the affirmative were,

Messrs. Doherty, Taylor, Weakley, Jack, Gals, M'Minn, Rutledge—7.

Those who voted in the negative, were,

Messrs. Nichol, Maxwell, Stewart, Smith—4.

Mr. Maxwell, who voted against the aforesaid bill, moved for leave to enter his reasons for so doing on the journal, which are as follow :

When the bill making provision for the payment of jurors to the county courts, &c. was first introduced, I was in favor of it, and intended to have supported it; but on further consideration, it appeared to me it was preparing the way for establishing the circuit court system, to which I can never give my consent, as I believe it never can promote the welfare of the people of this state.

JAMES MAXWELL.

Mr. Nichol presented a bill for establishing fairs in the county of Sevier, which was read the first time, passed, and sent to the house of representatives.

A bill supplementary to an act, entitled, an act to prevent the obstruction of the navigation of certain rivers therein mentioned; was read the first time, passed, and sent to the house of representatives.

A bill regulating the times of holding the courts of pleas and quarter sessions in the counties now comprising the district of Mero, was read the first time, passed and sent to the house of representatives.

A bill to apportion the jurors in the district of Me-

to, to the different counties composing the same, was read the first time, passed, and sent to the house of representatives.

A bill making provision for part of the citizens of Claiborne and Anderson, formerly Grainger, as yet remaining part of Grainger election district, to hold separate election was read the first time, passed and sent to the house of representatives.

A bill to amend the 4th section of an act, entitled an act to amend an act ascertaining what property in this state shall be deemed taxable, &c. was read the first time, passed and sent to the house of representatives.

A bill to repeal an act passed at Knoxville, the 14th of November, 1801, entitled, an act to repeal so much of an act, entitled, an act to suppress excessive gaming as repeal the fines on billiard tables, was read the first time, passed and sent to the house of representatives.

A bill supplementary to an act, passed at Knoxville, the 13th of November, 1801, prohibiting any states' attorney or solicitor from preferring bills of indictment without prosecutors, was read the second time, passed and sent to the house of representatives.

A bill to run the line between Knox and Roane counties, was read the first time, passed and sent to the house of representatives.

A bill to appoint a commissioner to run the line between the counties of Jefferson and Cocke, was read the first time, passed, and sent to the house of representatives.

Mr. Jack presented a bill to amend an act passed November 15th, 1801, entitled, an act authorizing the court of Grainger county to lay an additional tax, which was read the first time, passed and sent to the house of representatives.

A bill to ascertain what property in this state shall be deemed taxable, and the mode of collecting, accounting for and paying public taxes, was read the first time, passed, and sent to the house of representatives.

A bill to compel sheriffs, coroners and other officers to pay over moneys by them collected to the persons entitled to receive the same, was read the first time, passed and sent to the house of representatives.

Mr. Weakley presented a bill to amend the law so far

as that of making adequate compensation to witnesses summoned to attend and give evidence in any court of law or equity within this state in all civil cases, which was read the first time and sent to the house of representatives.

A bill to appoint an additional commissioner to the town of Blountsville in the county of Sullivan, was read the first time, passed, and sent to the house of representatives.

A bill to exempt practitioners of medicine from serving on juries, was read the second time and rejected.

Ordered, that the following message be sent to the house of representatives.

Mr. Speaker and Gentlemen of the House of Representatives,

The senate propose that the time for bringing in bills be prolonged until Monday next.

A message from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

This house concur with you in prolonging the time for bringing in bills until Monday next.

Mr. M'Minn presented a bill to carry into effect an act passed at the last general assembly of this state, entitled, an act to confirm and make good all lawful entries made, and warrants and grants issued by the state of North Carolina, for lands lying within the limits of this state, and to authorize the secretary and governor of the same to perfect titles on all the lawful entries and warrants that are not yet ripened, which was read the first time, passed and sent to the house of representatives.

A bill for the punishment of certain offences therein mentioned, was read the first time, passed and sent the house of representatives.

A bill supplementary to an act, entitled, an act for the regulation of the town of Jonesborough, was read the second time, passed, and sent to the house of representatives.

Mr. Smith presented a bill to appoint an additional judge, which was read the first time, passed, and sent to the house of representatives.

A bill to confirm the boundary line between this state and the state of Virginia, as settled and designated by certain commissioners, and for appropriating certain monies therein mentioned, was ordered to lie on the table.

Mr. Taylor presented a bill to authorize the court of

Carter county to lay an additional county tax; should they think it expedient, which was read the first time, passed and sent to the house of representatives.

A bill to enlarge the bounds of Jackson county, was read the first time, passed, and sent to the house of representatives.

A bill respecting the duties of registers, &c. was read the first time, passed, and sent to the house of representatives.

The house adjourned until to morrow morning nine o'clock.

Friday, October 28, 1803.

House met according to adjournment.

A bill to provide for the election of a President and Vice President of the United States, was read the third and last time, and on motion of Mr. Weakley, it was resolved that the bill be amended by adding three sections thereto.

Ordered, that the following message be sent to the house of representatives,

Mr. Speaker and Gentlemen of the House of Representatives,

The senate have read the third and last time the bill to provide for the election of electors of President and Vice President of the United States, and propose amending the same by adding three sections as the 9th, 10th, and 11th which we here send you for your examination. If you agree to these amendments send two of your body to see them made, who will bring the amendments with them.

Received from the house of representatives, the following message,

Mr. Speaker and Gentlemen of the Senate,

This house concur with your proposed amendment to the bill for the election of President and Vice President of the United States, and have sent messrs. Claiborne and Harman to see the same made.

The bill was accordingly amended, passed and ordered to be engrossed.

A bill for the establishment of fairs in the town of Sevierville, was read the second time, amended, passed and sent to the house of representatives.

A bill for the punishment of the crime of counterfeiting

any of the gold or silver coin current in the state of Tennessee, was read the second time, passed and sent to the house of representatives.

A bill concerning the agent of this state to the state of North Carolina, was read the first time, passed, and sent to the house of representatives.

A bill to confirm the boundary line between this state and the state of Virginia, as settled and designated by certain commissioners, and for appropriating certain monies therein mentioned, was read the third and last time, passed and sent to the house of representatives.

Mr. Gals who withdrew for amendment, a bill the more effectually to prevent the injuries that may result to the good citizens of this state, by suffering stud horses or stud colts to run at large, and for the encouragement of the breed of horses, returned the same, which was read the second time, amend and passed.

A bill to repeal such parts of an act to encrease the jurisdiction of justices of the peace, and regulating the proceedings therein, passed 23d October, 1799, as are not repealed, and for other purposes, was read the second time, passed, and sent to the house of representatives.

A bill providing for the payment of witnesses attending superior and county courts in behalf of the state, was read the second time, passed and sent to the house of representatives.

A bill to authorize the court of Jefferson county, if they think expedient, to lay a tax for building a court house, and appointing an additional commissioner to the town of Dandridge, was read the third and last time, passed and sent to the house of representatives.

A bill to amend an act passed November 15th, 1801, entitled, an act authorizing the court of Grainger county to lay an additional tax, was read the second time, passed and sent to the house of representatives.

A bill to amend the law so far as that of making an adequate compensation to witnesses summoned to attend and give evidence in any court of law and equity within this state in all civil cases, was read the second time, passed, and sent to the house of representatives.

Mr. Stewart, from the committee of claims, made the following report :

The committee to whom was referred the petition of Thomas Rutherford, jailer, for an allowance of one hundred and four dollars, eighty seven and one half cents, to be paid for the keeping John Valentine in jail, &c. do report, that his claim is reasonable and ought to be granted.

D. STEWART, Ch.

The committee to whom was referred the petition of Thomas Rutherford, jailer, for an allowance of forty dollars and seventy five cents, to be made him for the keeping Michael West in jail, &c. report, that his claim is reasonable, and ought to be allowed.

D. STEWART, Ch.

The committee to whom was referred the petition of Thomas Rutherford, jailer, for an allowance of seventy-eight dollars and fifty cents to be made him, for the keeping Charles Powell in jail, &c. report, that his claim is reasonable and ought to be granted.

D. STEWART, Ch.

Which were read and concurred with, and sent to the House of representatives.

A bill to repeal an act passed on the 14th of November, 1801, entitled, an act to repeal so much of an act, entitled, an act to suppress excessive gaming, as respects the fines on billiard tables and horse racing, was read the second time, passed and rejected.

A bill supplementary to an act, passed at Knoxville, the 13th of November, 1801, prohibiting any states' attorney or solicitor from preferring bills of indictment without prosecutors, was read the third and last time, passed and sent to the house of representatives.

A bill to authorize the secretary to issue a warrant to William Nash, for sixty two acres, was read the second time, passed, and sent to the house of representatives.

A bill to authorize James Hamilton to build a dam across Stone's river, was read the second time, passed and sent to the house of representatives.

A bill for the punishment of certain offences therein mentioned, was read the second time, passed and sent to house of representatives.

A bill to appoint a commissioner to run the line between the counties of Jefferson and Cocke, was read the second time, passed, and sent to the house of representatives.

A bill to run the line between Knox and Roane counties, was read the second time, passed and sent to the house of representatives.

A bill making provision for part of the citizens of Claiborne and Anderson, formerly Grainger, as yet remaining part of Grainger election district, to hold separate elections, was read the second time, and withdrawn by Mr. Jack for amendment.

A bill to regulate sheriffs' fees, was read the first time, passed and sent to the house of representatives.

A bill to appoint an additional commissioner to the town of Blountsville, in Sullivan county, was read the second time, and withdrawn by Mr. Rutledge for amendment.

Received from the house of representatives, the memorial of Joseph Love, praying an allowance, for hiring men to guard the jail, which was read and referred to the committee of claims.

A bill to appoint an additional judge, was read the second time and rejected.

The yeas and nays being called for,

Those who voted in the affirmative, were,

Messrs. Weakley, Maxwell, Stewart, Smith—4.

Those who voted in the negative, were,

Messrs. Nichol, Doherty, Taylor, Jack, Gass, McMinh and Rutledge—7

Mr. Taylor presented a bill to authorize and empower the governor to appoint a commissioner and one surveyor to run, mark and designate such parts of the line between this state and the state of North Carolina, as he may think expedient, was read the first time, passed and sent to the house of representatives.

A bill to require the court of Knox county to open a certain road therein mentioned, was read the second time, passed, and sent to the house of representatives.

A bill to amend the 4th section of an act, entitled an act to amend an act ascertaining what property in this state shall be deemed taxable, &c. was read the second time, and ordered to lie on the table.

A bill supplementary to an act, entitled, an act to prevent the obstruction of the navigation of certain rivers therein mentioned, was read the second time, passed, and sent to the house of representatives.

A message from the House of Representatives:

Mr. Speaker and Gentlemen of the Senate,

This house have read for the third and last time, a bill giving more special powers to the commissioners of the town of Greeneville, and to authorise the court of Greene county, if they think it expedient, to lay an additional tax for the sole purpose herein contemplated, and propose amending the same, by striking out the whole of the bill, except the caption, and inserting in room thereof the sections here with sent for your consideration. Should you agree to these amendments, please send two of your body to see the same made.

Received from the Senate the following message:

Mr. Speaker and Gentlemen of the House of Representatives,

The Senate concur with the amendments by you proposed to the bill giving special powers, &c. &c. to the commissioners of the town of Greeneville, and have sent Messrs. Gass and Rutledge, to see the same made.

A bill to apportion the jurors in the district of Mero, to the different counties composing the same, was read the second time, passed, and sent to the house of representatives.

A bill concerning roads and ferries, was read the second time, passed and sent to the house of representatives.

A bill regulating the times of holding the courts of pleas and quarter sessions in the counties now composing the district of Mero, was read the second time, passed and sent to the house of representatives.

A bill supplementary to an act for the regulation of the town of Jonesborough, &c. was read the third time, and withdrawn by Mr. Taylor for amendment.

A bill for the purpose of appointing a commissioner for revising the laws of this state, &c. was read the third and last time; and on motion of Mr. Weakley, the bill was amended by striking out these words in the section, viz "a commissioner to be appointed by joint ballot of both houses," and by adopting the amendment made by the Senate at the second reading.

A message was sent to the house of representatives.

Mr. Speaker and gentlemen of the House of Representatives,

The Senate have read for the third and last time the bill

for the purpose of appointing a commissioner to revise the laws of this state, &c. and propose amending the same in the first section, by striking out the words "a commissioner be appointed by joint ballot of both houses," and passing it as amended by the senate at the second reading. If you agree to this amendment, send two of your body to see it made.

The house then adjourned till to morrow morning nine o'clock.

Saturday, October 29, 1803.

The House met according to adjournment.

Mr. Jack presented a bill to empower the justices of each county court to lay out private or bridle ways, which was read the first time, passed, and sent to the house of representatives.

A message from the house of representatives:

Mr. Speaker and Gentlemen of the Senate,

This house concur with the amendment by you proposed to the bill to appoint commissioners to revise the laws, &c. and have sent messrs. Russell and Foster to see the same made.

The bill was accordingly amended, passed and ordered to be engrossed.

Mr. Jack, who withdrew for amendment, a bill making provision for a part of the citizens of Claiborne and Anderson counties, formerly part of Grainger county, and now a part of Grainger election district, to hold separate elections, returned the same, which was read the second time, amended, passed, and sent to the house of representatives.

On motion of mr. M'Minn, the following resolution was adopted, and sent to the house of representatives—

Resolved, that his excellency the governor be requested to lay before this legislature the number of militia and arms as returned by the adjutant general.

Mr. Stewart presented the following report of the committee of claims—

The committee of claims to whom was referred the account of William Maclin, for stationary by him furnished for the governor and the office of secretary of state, also

For postage paid on public papers, to the amount of two hundred and four dollars, thirty five cents, report, that the same is reasonable and ought to be allowed.

D. STEWART, Ch.

Which was concurred with and sent to the house of representatives.

Mr. Maxwell presented the following report of the committee of propositions and grievances—

The committee to whom was referred the petition of sundry inhabitants of Claiborne county, praying that a part of said county should be annexed to Hawkins county, is unreasonable. As to the second part of the petition, praying that the public buildings be removed, report, that the same is unreasonable. As to the third part of said petition, praying a separate place of holding elections, report, that the same is reasonable.

JAMES MAXWELL, Ch.

Which was concurred with, and sent to the house of representatives.

A bill to amend an act, passed November 15, 1801, entitled, an act authorising and requiring the court of Grainger county to lay an additional county tax, was read the third and last time passed, and sent to the house of representatives.

A bill to ascertain what property in this state shall be deemed taxable, and the mode of collecting, accounting for and paying public taxes, was read the second time, and withdrawn by Mr. Weakley for amendment.

A bill supplementary to an act for the regulation of the town of Jonesborough, was read the third and last time passed, and ordered to be engrossed.

Mr. Rutledge presented a petition of sundry inhabitants of Sullivan county, praying a regulation of constables' fees, which was read and referred to the committee of propositions and grievances, and sent to the house of representatives.

A message from the house of representatives :

Mr. Speaker and Gentlemen of the Senate,

This house propose meeting the senate in committee, on Monday next at four o'clock, in our chamber, to consider what is best to be done concerning our land titles.

Which was read and concurred with, and the following message sent to the house of representatives :

Mr. Speaker and Gentlemen of the House of Representatives,
The senate concur with your proposal for meeting in the representatives' chamber, on Monday next at four o'clock, to take into consideration our land titles.

Mr. Stewart, who withdrew for amendment the bill declaring that there shall be but one public treasurer for the state, ascertaining his duty and compensation for his services, and to repeal an act to establish a treasury department, passed April 12; 1796, returned the same, which was read, and withdrawn by Mr. M'Minn for amendment.

A bill to appoint a commissioner to run the line between the counties of Roane and Knox, was read the third and last time, passed and ordered to be engrossed.

A bill regulating the times of holding the courts of pleas and quarter sessions in the counties now composing the district of Mero, was read the third and last time, passed and ordered to be engrossed.

A bill for the punishment of certain offences therein mentioned, was read the third and last time, passed and ordered to be engrossed.

A bill concerning roads and ferries, was read the third and last time, passed, and ordered to be engrossed.

A bill to apperction the jurors of the district of Mero to the counties composing the same, was read the third and last time, passed and ordered to be engrossed.

A bill for the punishment of the crime of counterfeiting any of the gold or silver coin current in this state, was read the third and last time, passed and sent to the house of representatives.

A bill to empower the several county courts in this state to emancipate slaves, was read the first time, passed, and sent to the house of representatives.

A bill to authorize James Hamilton to build a dam across Stone's river, was read the third and last time, passed, and sent to the house of representatives.

A bill to require the court of Knox county to open a certain road therein mentioned, was read the third time, and rejected.

Mr. Weakley moved for leave and presented, a bill directing sheriffs to calculate and add interest on all judg-

ments obtained in any court of record, which was read the first time, passed and sent to the house of representatives.

A bill concerning the agent of this state to the state of North Carolina, was read the second time, and ordered to lie on the table.

A bill to authorize and empower the governor to appoint one commissioner and one surveyor to mark and designate such parts of the line between this state and the state of North Carolina as he may deem expedient, was read the second time, and withdrawn by Mr. Taylor for amendment.

A bill for taking the enumeration of the free taxable inhabitants of this state, was read the first time, passed and sent to the house of representatives.

A bill to compel the different sheriffs, coroners and other officers to pay over monies by them collected, to the persons authorized to receive the same, was read the second time, passed and sent to the house of representatives.

A bill respecting the duties of registers, was read the second time and withdrawn by Mr. Weakley for amendment.

A bill to authorize the executive of this state to send an agent on the part of this state to the state of North Carolina, for the purpose of finally settling the disputes between this state and North Carolina, and to obtain from thence certain documents, which was read the second time, and ordered to lie on the table.

The house then adjourned till Monday ten o'clock.

Monday, October 31, 1803.

The house met according to adjournment.

Mr. Stewart presented a bill to repeal part of an act passed at the last session of the general assembly, entitled, an act to prevent the exportation of unmerchantable commodities, which was read the first time, passed and sent to the house of representatives.

Mr. Nichol presented a bill to amend an act, passed November 13, 1801, entitled, an act to authorize the court of Sevier county to open a road therein mentioned, and fix a turnpike or turnpikes thereon, and repeal the 10th section thereof, which was read the first time, passed and sent to the house of representatives.

A bill directing sheriffs to calculate interest on all judgments obtained in any court of record, was read the second time, passed and sent to the house of representatives.

Mr. Smith presented a bill for settling the titles and bounds of land, which was read the first time, passed and sent to the house of representatives.

A bill making provision for part of the citizens of Claiborne and Anderson counties, formerly Grainger as yet remaining part of Grainger election district, to hold separate elections, was read the third and last time, passed, and ordered to be engrossed.

A bill to appoint a commissioner to run the line between the counties of Jefferson and Cocke, was read the third and last time, passed, and ordered to be engrossed.

A bill authorising the secretary to surrender grants where only a part of the land is lost, was read the second time, passed and sent to the house of representatives.

A bill to authorise the governor to procure a quadrant for the use of this state, was read the first time, passed, and sent to the house of representatives.

Mr. Stewart presented the following report of the committee of claims—

The committee to whom was referred the petition of Governor Roane, for an allowance of seventy one dollars, six and one half cents to be made to him for the postage of letters, &c. while in his official capacity, do report, that his claim is reasonable and ought to be granted. And also do report, that the claim of Governor Roane, of the sum of twenty dollars, for a map of the boundary line between this state and the state of North Carolina, is reasonable and ought to be granted, and that it is expedient that said map be deposited in the secretary's office of this state for its use.

Which being read,

Resolved, that this house concur with the first part of said report; and that the house concur with the second part of said report for appropriating the sum of twenty dollars for the map of the line run between this state and North-Carolina, agreeable to the late governor's communication of October 12, to both houses of the general assembly, and that the present governor be directed to issue a warrant for that sum, directed to either of the public treasurers, when the said map is deposited with the secretary of state; tea-

vertheless the said line shall not be considered as recognized by this legislature.

A message from the house of representatives :

Mr. Speaker and Gentlemen of Senate,

We have taken up a bill for the punishment of the crime of counterfeiting any of the gold or silver coins current in the state of Tennessee, and propose amending it by striking out the word "hundred," after the word "five," in the first section, and insert in room thereof the word "thousand," and in two other instances said section, to insert the word "or" in room of "and." If you agree to these amendments, send two of your body to see them made.

Which being read, resolved, that this house concur therewith, and that messrs. Smith and Jack do go to see the same made.

A bill authorizing Isaac Baker and Thomas Wilson to erect a turnpike on a road therein mentioned, was read the first time, passed and sent to the house of representatives.

Mr. M'Minn presented a bill to repeal an act, entitled an act to appoint commissioners to mark the line between the counties of Greene and Hawkins, &c. which was read the first time, passed and sent to the house of representatives.

A bill to confirm certain marriages, solemnized under the assumed authority of the state of Franklin, was read the first time, passed and sent to the house of representatives.

A bill making compensation to the members, clerks and door keepers, &c. was read the first time, passed, and sent to the house of representatives.

A bill to authorize and empower the governor to appoint one commissioner to run, mark and designate such parts of the line between this state and the state of North Carolina as he may think expedient, was read the second time, and laid over until the next general assembly.

Mr. Taylor presented a bill declaring the settlement known by the name of the Beaver dam settlement, to be a part of Carter county, until the line between the counties of Carter and Sullivan shall be run and designated, which was read the first time, passed and sent to the house of representatives.

A bill prescribing the mode by which slaves shall be emancipated, was read the second time and rejected.

The yeas and nays being called for,
Those who voted in the affirmative, were,
Messrs. Nichol, Taylor, and Maxwell.

In the negative,

Messrs. Doherty, Weakley, Jack, Gass, Stewart, Rutledge, and Smith.

A bill to authorise a lottery in the town of Knoxville, in the county of Knox, for the purpose of building a masonic hall, was read the first time, passed and sent to the house of representatives.

A bill authorising a lottery in the town of Nashville, was read the third and last time, passed, and ordered to be engrossed.

A bill to compel the different sheriffs, coroners and other officers to pay over monies by them collected, to the persons authorised to receive the same, was read the third and last time, passed and ordered to be engrossed.

A bill to repeal an act, entitled, an act encreasing the jurisdiction of justices of the peace, and regulating proceedings therein, was read the third time and ordered to lie on the table.

A bill for taking the enumeration of the free taxable inhabitants of this state, was read the second time, passed and sent to the house of representatives.

Mr. Jack moved for leave and presented a bill to amend an act, entitled, an act for the relief of insolvent debtors, with respect to the imprisonment of their persons, which was read the first time, and on motion of Mr. Jack, it was resolved, that he have leave to withdraw this bill for amendment.

Mr. Gass moved for leave and presented a bill for emitting dollars in paper currency, for the purpose of supporting government, and enabling citizens to pay their taxes, which was read the first time, passed, and sent to the house of representatives.

According to the order of the day, the Senate and House of Representatives met in committee, in the chamber of the House of Representatives, for the purpose of taking into consideration the subject of our land titles; and after some

time spent therein, the Senate returned to their own chamber.

The house adjourned till tomorrow nine o'clock.

Tuesday, November 1, 1803.

The House met according to adjournment.

Mr. Jack, who withdrew for amendment, a bill to amend an act, entitled, an act for the relief of insolvent debtors, with respect to their persons, returned the same, which was amended, passed and sent to the house of representatives.

A bill to authorise the county court of Washington to lay an additional county tax, &c. was read the first time, amended, passed and sent to the house of representatives.

Mr. Jack presented a petition of the people of Claiborne county, praying the town of Tazewell to be established, which was referred to the committee of propositions and grievances and sent to the house of representatives.

Received from the house of representatives, the petition of James Gordon and Charles Robertson, executors of Charles Robertson, deceased, praying that some mode may be adopted for paying to them a certain sum of money, which is coming to the estate of their testator, for completing certain public buildings in the county of Washington, which was read, referred to the committee of propositions and grievances.

A bill respecting forcible entry and detainer, was read the first time, passed and sent to the house of representatives.

Mr. Taylor presented a petition from Carter county, praying an appointment of justices of the peace, which was read and sent to the house of representatives.

A bill to repeal part of an act passed last general assembly, entitled, an act to prevent the exportation of unmerchantable commodities, was read the second time, passed and sent to the house of representatives.

Mr. Nichol presented a petition from Sevier county, praying the appointment of a justice of the peace, which was read and sent to the house of representatives.

A bill to regulate constables fees, was read the first time, passed and sent to the house of representatives.

A bill to repeal an act, entitled, an act to appoint commissioners to run the line between the counties of Greene and Hawkins, (agreeable to an act passed at Fayetteville in the year 1786) passed Nov. 10, 1801, was read the second time, passed, and sent to the house of representatives.

The yeas and nays being called for,
Those who voted in the affirmative, were,
Messrs. Doherty, Taylor, Weakley, Jack, M'Minn, Stewart, and Smith.

Those who voted in the negative, were,
Messrs. Nichol, Maxwell, Gals, and Rutledge.
Mr. Weakley who withdrew for amendment a bill supplementary to an act for erecting the counties of Davidson and Williamson into three separate and distinct counties, returned the same, which was read the second time, amended, passed and sent to the house of representatives.

A bill for settling the titles and bounds of lands, was withdrawn by Mr. Smith for amendment.

Received from the house of representatives, a copy of the agreement between the United States and the Cherokee Indians, for opening a road from South West Point and Tellico, to the State of Georgia, accompanied with a message from his excellency governor Sevier, as follows.

Mr. Speaker and Gentlemen of the Senate, and

Mr. Speaker and Gentlemen of the House of Representatives;

I do myself the honor of laying before you for your satisfaction and perusal the agreement entered into between the United States and Cherokees for the purpose of opening a road from two points, South West Point and Tellico blockhouse, to the State of Georgia.

JOHN SEVIER.

On motion of Mr. M'Minn, the following resolutions were adopted—

Resolved, that the senate do agree, on their part, to pass the bill for carrying the land law into effect, with such amendments as may appear strictly consistent with the true interest and policy of this state.

Resolved, that a suspension of the land laws take place, which suspension shall expire on the 1st day of February, 1804, provided the legislature of North Carolina reject the terms of accommodation as proposed by the legislature of this State; nevertheless, if the negotiation shall be propi-

rious, and Tennessee obtain a completion of her request then, and in that case, the suspension as aforesaid will continue until the governor shall convene the legislature, for the ratification of the measures adopted between the legislature of North Carolina and the commissioner on the part of this state.

Resolved, that the commissioner on the part of this state be requested by the act authorizing his appointment, to report to the governor of Tennessee, prior to the first of February, in the year aforesaid; and the governor, immediately upon the receipt of the report, shall, provided it contains a denial for accommodation between the states of Tennessee and North Carolina, forthwith make the same known by proclamation that pursuant to the laws of this state, the governor and secretary are ready to issue grants; nevertheless, if the magnanimity of our mother state shall induce her to comply with the request of Tennessee, in that case the governor will proceed, by proclamation, to convene the general assembly, without delay.

Resolved, as the opinion of this house, that the foregoing resolutions are congenial to the present wishes and interests of the people, and under a thorough conviction of these truths, the senate pledges itself, with the assistance and friendly aid of the house of representatives, to carry them into effect.

Which, together with the following message was sent to the house of representatives.

Mr. Speaker and Gentlemen of the House of Representatives,

A majority of our fellow citizens have called us to assemble at this place to promote the public interest and to exercise the constituted authorities committed to our trust; and as nothing can contribute so essentially to the security of the interest and happiness of that free and enlightened people whom we have the honor to represent, as that of a mutual and harmonious co operation between the different branches of the legislature; and at present it is with peculiar pleasure the senate expresses its high approbation of the conciliatory conference proposed by the house of representatives yesterday, and offer as the effects thereof, the resolutions herewith accompanying, which we have adopted, and to which we ask your concurrence,

*A message from the House of Representatives,
Mr. Speaker and Gentlemen of the Senate,*

The house of representatives entertain the same wishes with your body for the promotion of the welfare and interests of their constituents, as expressed in the preface to your resolutions of this day; but it is with extreme regret, we inform the senate we think differently with them respecting the measures to be adopted for attaining the great object in view. Under these impressions, we cannot concur with your resolutions relative to what is called the land law. And we do conceive, that a suspension of that law until the next legislature will conduce much more to the tranquility and happiness of our fellow men, than the plan by you proposed. At the same time, we would recommend to the governor, on the report of the commissioner contemplated to be sent to North Carolina, to call the assembly.

A bill carrying into effect an act passed at the last general assembly of this state, entitled, an act to confirm and make good all lawful entries and warrants, and grants issued by the state of North Carolina, for lands lying within the limits of this state, and to authorise the secretary and governor of the same to perfect titles on all lawful entries and warrants that are not yet perfected, was read the second time, passed, and sent to the house of representatives.

A bill for the better establishment and regulation of the militia of this state, was read the second time, amended, passed and sent to the house of representatives.

Received from the house of representatives the following engrossed bills, which were examined by the committee of enrolled bills, and being signed by the speaker of the house of representatives were signed by the speaker of the house.

An act for the better security of the trial by jury in the superior court.

An act to empower John M. Nairy esq. to enclose the French Lick near Nashville.

An act appointing additional commissioners and for regulating the town of Newport in the county of Cocke.

An act to repeal part of the law passed last session of the general assembly, entitled, an act to prevent the obstruction of the navigation of certain rivers therein mentioned.

An act making provision for a part of the citizens of Claiborne and Anderson counties formerly Grainger, as yet remaining part of Grainger, election district to hold separate elections.

An act supplementary to an act, entitled, an act to amend, an act establishing courts of law and regulating the proceedings therein so far as respects the county courts.

An act to compel the different sheriffs, coroners, and other officers to pay monies by them collected, to persons authorized to receive the same

An act to appoint a commissioner to run the lines between the counties of Jefferson and Cocke.

An act to provide for the election of representatives from this state in the congress of the United States, and and for other purposes

An act to divide the county of Montgomery, and form a new county out of the lower part thereof.

House adjourned till tomorrow nine o'clock.

Wednesday, November 2, 1803.

Met according to adjournment.

A bill to make provision for the copying the locations in John Carter's office, of Washington county, filed in the secretary's office of this state, and for the better preservation of the same, was read the first time, passed, and sent to the house of representatives.

A bill authorizing Isaac Baker and Thomas Wilson to erect a turnpike on a road therein mentioned, was read the second time and withdrawn by Mr. Gals for amendment.

A bill to repeal part of an act passed last session of the general assembly, entitled, an act to prevent the exportation of unmerchandiseable commodities, was read the third and last time, passed, and sent to the house of representatives.

A bill to confirm certain marriages, solemnized under the assumed authority of the state of Franklin, was read the second time, passed and sent to the house of representatives.

A bill authorizing a lottery in the town of Knoxville, in the county of Knox, for the purpose of building a masonic hall, was read the second time, passed and sent to the house of representatives.

A bill to amend the act, passed November 13, 1801, entitled an act to authorise the court of Sevier county to open certain road therein mentioned, and fix a turn pike or turn pikes thereon, and repeal the 10th section of the same, was read the second time, amended, passed and sent to the house of representatives.

A bill to amend an act, entitled, an act for the relief of insolvent debtors, with respect to the imprisonment of their persons, was read the second time, amended, passed and sent to the house of representatives.

A bill to authorise the governor to procure a quadrant for the use of this state, was read the second time, passed, and sent to the house of representatives.

A bill, the more effectually to prevent the injuries that may result to the good people of this state by suffering stud horses or stud colts to run at large, and for the improvement of the breed of horses, was read the third and last time, and on motion of Mr. Weakley, resolved, that this bill be amended by adopting as the fourth section that which was dealt out by the house of representatives.

The following message was sent to the house of representatives

Mr. Speaker and Gentlemen of the House of Representatives,

The senate have taken up for the third and last reading, the bill to prevent stud horses going at large, &c. and propose amending the same, by adopting as an additional and fourth section, the section dealt out by you, at your last reading. If you agree to this amendment, send two of your body to see it made.

Received from the house of representatives, the following message.

Mr. Speaker and Gentlemen of the Senate,

This house concur with the amendment by you proposed to the bill the more effectually to prevent injuries from stud horses running at large &c. and have sent Messrs. Wharton and Snodgrass to see it made.

The bill was accordingly amended, passed and ordered to be engrossed

Mr. Maxwell presented the following report of the committee of propositions and grievances—

The committee report, that the petition of Charles Ro-

Bertson and James Gordon, executors of Charles Robertson, deceased, praying to be allowed the sum of eight hundred and four dollars, due to them on account of their testator from the county of Washington, for building a court house, prison, and stocks in said county, is reasonable and ought to be granted.

JAMES MAXWELL, Ch.

Which being read, resolved that this house concur with said report.

A bill to regulate sheriffs' fees, was read the second time, passed and sent to house of representatives.

A bill to regulate the descent of real estates, to make provision for widows, directing the mode of devises, and for distributing the personal property of intestates, was read the second time, amended, passed and sent to the house of representatives.

Mr. Stewart presented a bill supplementary to an act passed this general assembly, for erecting the counties of Dickson and Stewart, which was read the first time, passed, and sent to the house of representatives.

A bill to authorise the secretary to issue duplicate warrants in lieu of those that have been lost or destroyed, &c. was read the third and last time, passed, and ordered to be engrossed.

A bill to authorise the court of Washington county to lay an additional tax for certain purposes therein mentioned, was read the second time, passed and sent to the house of representatives.

A bill to authorise the inhabitants living above the ridge which divides the waters of Roaring and Obed's rivers, in Jackson county, to hold separate elections, was read the first time, passed and sent to the house of representatives.

A bill to repeal an act, entitled, an act to appoint commissioners to mark the line between the counties of Greene and Hawkins, &c. was ordered to lie on the table.

The House adjourned until to morrow nine o'clock.

Thursday, November 3, 1803.

Met according to adjournment.

Mr. Stewart presented the following report of the committee of claims—

The committee of claims, to whom was referred the petition of Samuel Doak, praying compensation for supplying troops on gen Martin's campaign against the Indians, report, that the claim is reasonable, but the petitioner has not brought forward his account to enable the assembly to act thereon.

D. STEWART, Ch.

Which was concurred with, and sent to the house of representatives.

Mr Maxwell presented the following report of the committee of propositions and grievances—

The committee to whom was referred the petition of sundry persons of Claiborne county, praying the court house and other public buildings to be established in the town of Tazwell, report that the same is reasonable.

JAMES MAXWELL, Ch.

Which was concurred with and sent to the house of representatives.

Received from the house of representatives, the resignation of Robert Nelson as a justice of the peace, of Montgomery.

A petition from Grainger county praying Abraham Elliott to be appointed a justice of the peace, was read and sent to the house of representatives.

A bill supplementary to acts erecting the counties of Dickson and Stewart, was read the second time, passed, and sent to the house of representatives.

Mr. McMillan, who withdrew for amendment, a bill declaring that there shall be but one treasurer for the state, assigning his duty &c. and repealing an act for establishing a treasury department, returned the same, which was read the second time, amended, passed, and sent to the house of representatives.

A bill to amend an act, entitled, an act authorising the court of Knox county to build a prison, &c was read the first time, passed and sent to the house of representatives.

A bill to regulate and ascertain sheriffs' fees, was read the third and last time, passed, and ordered to be engrossed.

Mr. Gass, who withdrew for amendment, the bill authorising Isaac Baker and Thomas Wilson to erect a turnpike on a certain road therein mentioned, returned the same,

which was read the second time, amended, passed, and sent to the house of representatives.

A message from the house of representatives:

Mr. Speaker and Gentlemen of the Senate,

This house propose going into the election of treasurers this evening, at candle light, in their own chamber, and have appointed messrs. Russell and Snodgrass to superintend the balloting.

Mr. Joel Lewis and Mr. Thomas Croucher have been nominated for Mero district; and Mr. Thomas M'Corry and Mr. Robert Houston for the districts of Washington and Hamilton.

Which being read, resolved, that the following message be sent to the house of representatives.

Mr. Speaker and Gentlemen of the house of Representatives,

The senate do not concur with you in going into the election of treasurers this evening at candle light, but propose that it be postponed until to morrow four o'clock, and have appointed messrs. Gass and Taylor to superintend the balloting.

A message from the house of representatives:

Mr. Speaker and Gentlemen of the Senate,

This house concur with you in postponing the election of treasurers until to morrow four o'clock.

Mr. Stewart presented the following report of the committee of claims—

The committee of claims report, that the claim of the clerk of Mero district, for certain fees, &c. as stated in an account, is unreasonable and ought not to be allowed.

D. STEWART, Ch.

Which were read and concurred with, and sent to the house of representatives.

A bill supplementary to an act for erecting the counties of Davidson and Williamson into three separate and distinct counties, was read the third and last time, passed and sent to the house of representatives.

A bill directing the mode of entering judgments in the county of record and for other purposes, was read the third and last time, passed and sent to the house of representatives.

A bill authorising a lottery, in the town of Knoxville

and county of Knox, for the purpose of building a masonic hall, was read the third and last time, passed and ordered to be engrossed.

A bill to amend an act, passed November 13, 1801, entitled, an act to authorise the court of Sevier county to open a certain road therein mentioned, and fix a turnpike for turnpikes thereon, and repeal the 10th section of the same, was read the third and last time, passed and sent to the house of representatives.

A bill for the appointment of a commissioner on the part of this state, to go forward to the legislature of North Carolina, for the purpose of finally settling the disputes between this state and North Carolina, and obtain from thence certain documents, was read the second time, amended, passed, and sent to the house of representatives.

A bill for the better establishment and regulation of the militia of this state, was read the third and last time, amended, and the following message sent to the house of representatives.

Mr. Speaker and gentlemen of the house of representatives,

This house have taken up for the third and last reading, a bill for the better establishment and regulation of the militia of this state, and propose amending it in the 6th section, by striking out "each battallion shall hold a court martial the last Saturday in May, annually," and insert "the first battallion in each regiment shall hold a court martial on the last Saturday in May annually, and the second battallion in each regiment on the first Saturday in June annually;" and in the 7th section to insert "Tuesday," in room of "Monday;" and in sundry places to reverse the proposed fines to "fifty" dollars, and by striking off the proviso by you added to the 48th section in favor of the Roan's creek people in Carter county; and by adding two additional sections, as the forty ninth and fiftieth, which are herewith sent for your inspection. If you agree to these amendments send two of your body to see them made.

A message from the house of representatives:

Mr. Speaker and Gentlemen of the Senate,

This house do not concur with that part of the amendment, by you proposed, as section fifty, to the militia bill,

etc. relative to raising companies of mounted infantry, but concur with all the other amendments by your proposed, and have sent Messrs. Wharton and Russell to see the same made.

The bill was accordingly amended, and a further amendment adopted, and the following message sent to the house of representatives.

Mr. Speaker and Gentlemen of the House of Representatives,

The senate propose further amending the bill for the regulation of the militia of this state, by adopting that herewith sent as an addition to the eleventh section, and in the the eighteenth section, immediately after the word "convenient," to adopt these words "and shall direct his company serjeants to warn his men of the time and place of said musters." And by adopting as the fiftieth section that herewith sent for your consideration. If you agree to these amendments send two of your body to see them made.

Amessage from the House of Representatives:

Mr Speaker and Gentlemen of the Senate,

This house do not concur with your amendment to be adopted as the fiftieth section, but concur with all the other amendments by you proposed, and have sent Messrs. Hall and Harman to see them made.

The bill was accordingly amended, passed and ordered to be engrossed.

Received from the house of representatives the following engrossed bills, which were examined by the committee of enrolled bills, and having been signed by the speaker of the house of representatives, were signed by the speaker of the senate.

An act to prohibit any person from using words in the hearing of any slave or person of colour, either publicly or privately, that may have a tendency to inflame their minds or induce them to insurrection, and for other purposes.

An act altering the names of certain persons therein mentioned.

An act to alter the name of a certain person therein mentioned.

An act to amend an act passed at Knoxville 29th of October. 1801, entitled an act to establish the town of Rutledge, in Grainger county, &c.

An act to establish a town in Rutherford county, immediately in the forks of Stone's river, by the name of Jefferson.

An act to authorise the court of Carter county to appoint a commissioner to run and designate such parts of the lines of said county of Carter, as they may think expedient.

An act the more effectually to prevent the profanation of the Lord's day, commonly called the Sabbath.

An act for the punishment of the crime of counterfeiting any of the gold or silver coins current in the state of Tennessee.

An act supplementary to an act passed at Knoxville, 18th November, 1801, prohibiting any state's attorney or solicitor of a county from preferring bills of indictment, without prosecutors.

An act to restore John Wilson, junior, to his former privileges and capacities.

An act to authorise James Hamilton to build a dam across Stone's river.

An act to authorise the county courts within this state, to grant privilege to erect gates across public roads, which shall not be considered a nuisance.

An act giving more special powers to the commissioners for the regulation of the town of Greeneville, and to authorise the court of Greene county, if they think it expedient, to lay an additional tax for the sole purpose as herein contemplated.

An act to appoint an additional commissioner to the town of Elizabethton, in the county of Carter.

An act authorising the court of Jefferson county, if they think it expedient, to lay a tax for building a court house.

An act to ascertain and establish the boundary line between this state and the state of Kentucky.

An act to empower the court of Sevier county, to lay a tax, when necessary, for the purpose of repairing the court house, prison, and stocks, in said county.

An act for confirming the boundary line between this state and the state of Virginia, as settled and designated by certain commissioners, and for appropriating certain monies therein mentioned.

An act to repeal that part of the fifth section of an act entitled, an act for the regulation of the town of Nashville,

passed November, 13th, 1801, which is herein after mentioned.

An act to apportion the jurors of the district of Mero. to the several counties composing the same.

An act for the purpose of appointing commissioners for revising the laws of this state.

An act providing for the appropriation of certain fines and forfeitures, arising from an act of the general assembly of this state; passed Oct. 26, 1799. entitled, an act to suppress excessive gaming, and more effectually to prevent said offences.

An act for the punishment of certain offences therein mentioned.

An act to appoint a commissioner to run the line between Knox and Roan counties.

An act concerning roads and ferries.

An act supplementary to an act for the regulation of the town of Jonesborough, and for erecting, building or repairing the court house, prison and stocks in said town.

An act authorizing a lottery in the town of Nashville.

An act authorizing the court of Montgomery county to lay a certain tax annually.

An act authorizing the completion of a contract between Alexander Gamble, deceased, and Robert Gamble.

An act for the relief of Gasper Lott.

An act to provide for the election of electors of President and Vice President of the United States.

An act regulating the times of holding the courts of pleas and quarter sessions in the counties now composing the district of Mero.

The house adjourned until to morrow morning nine o'clock.

Friday, November 4, 1803.

House met according to adjournment.

A message from the house of representatives :

Mr. Speaker and Gentlemen of the Senate,

This house have withdrawn the name of Joel Lewis from the nomination for the office of treasurer.

Resolved, that the house concur therewith, and that the following message sent to the house of representatives.

Mr. Speaker and gentlemen of the house of representatives,

The senate concur with you in withdrawing the name of Joel Lewis as treasurer of Mero district.

Received from the house of representatives, a memorial of the merchants and gin holders of Mero district, praying amendments to the inspection laws as respects the inspection of cotton, which was read and referred to the committee of propositions and grievances.

Mr. Weakley, who withdrew for amendment a bill concerning the duties of registers, returned the same, which was read the second time, amended, passed, and sent to the house of representatives.

Mr. Maxwell presented the following report of the committee of propositions and grievances :

The committee to whom was referred the petition of a number of the inhabitants of Jackson county, praying that a law be passed explanatory of the fifth section of an act, passed at Knoxville, Nov. 14, 1801, entitled, an act to confirm and make good all lawful entries made, and warrants and grants issued by the state of North Carolina, &c. report, that the same is reasonable and ought to be granted.

JAMES MAXWELL, Ch.

Which being read, resolved that this house concur with said report.

A bill to amend an act, entitled, an act authorising the court of Knox county to lay a tax for building a prison, was read the second time, amended; passed and sent to the house of representatives.

A bill to alter the names of certain persons therein mentioned, was read the first time, passed and sent to the house of representatives.

A bill to authorise the inhabitants living above the ridge that divides the waters of Obed's and Roaring rivers in Jackson county, to hold separate elections, was read the second time, passed and sent to the house of representatives.

A bill appointing commissioners to purchase a place in the town of Nashville on the bluff of the river, for the purpose of building a new district and county jail, was read the third and last time, and amended by inserting the word "district," in the room of "county," in the sixth section,

immediately before "monies." And a message was sent to the house of representatives, asking their concurrence.

Received from the house of representatives, the following message,

Mr. Speaker and Gentlemen of the Senate,

This house concur with your proposed amendment to the bill for building a district and county jail in Nashville, &c, and have sent messrs. Foster and Claiborne to see it made.

The bill was accordingly amended, passed and ordered to be engrossed.

A bill supplementary to the acts passed this general assembly, erecting the counties of Dickson and Stewart, was read the third and last time, passed and sent to the house of representatives.

On mention of Mr M Minn the following message was sent to the house of representatives :

Mr. Speaker and Gentlemen of the House of Representatives,

The senate, upon reconsideration of the report of the committee of claims, on the petition of Samuel Deak, have resolved, that the senate do not concur with said report, so far as it could be construed to bind this state to make any compensation to said petitioner.

A bill to authorise the county court of Washington to lay an additional county tax &c was read the third and last time, passed and ordered to be engrossed.

A bill supplementary to an act, entitled, an act to prevent the obstruction of the navigation of certain rivers therein mentioned; was read the third and last time, and rejected.

The yeas and nays being called for,

Those who voted in the affirmative, were,

Messrs Taylor, Maxwell, Galt, and M'Minn.

In the negative,

Messrs Nichol, Doherty, Jack, Stewart, and Smith.

A bill to confirm all marriages solemnized under the authority of what was called the state of Franklin, was read the third and last time, passed and ordered to be engrossed.

A bill to authorise the governor to procure a quadrant for the use of the state, was read the third and last time, passed and ordered to be engrossed.

A bill authorizing Isaac Baker and Thomas Wilson to erect a turnpike on a road therein mentioned, was read the third and last time, passed and ordered to be engrossed.

On motion of Mr. McMin, the following resolution was adopted —

Resolved, that immediately upon the receipt of the report of the agent appointed to go forward to the State of North Carolina, the governor of this State is hereby requested to convene the legislature of this State, for the purpose of acting upon said report, and such other things as may appear consistent with the interest of the State.

Which was sent to the house of representatives for concurrence.

Received from the house of representatives the following report of the committee appointed to draft an address to the representatives of this State in the Congress of the United States

GENTLEMEN,

It is known to you, that a great number of our fellow-citizens have, previous to the act of cession, purchased and obtained grants for lands within the ceded territory, from the State of North Carolina, under the fullest confidence that they would be permitted without restraint to enter on and peaceably enjoy the same; and that they are not thus permitted so to do is equally notorious, being debarred therefrom by the political restraints imposed by those who have heretofore had the administration of the federal government, in relation to transactions with the Southern tribes of Indians, which restraints operate very oppressively on those purchasers, inasmuch as many of them, who have vested their all in the purchase of those lands, now are merely through the force and operation of those restraints, compelled to live on rented lands, which do not afford the means of a comfortable subsistence for themselves and families, for whom they are bound to provide.

It is also known to you, that the people of this State, who have legislative and juridical duties imposed and enjoined on them to perform, are necessitated to encounter numberless difficulties in the discharge of their duties, being frequently compelled to pass and repass over an unsettled tract of country, now claimed by the Cherokee nation of

Indians, meaning that tract of country situate between the districts of Hamilton and Mero.

It is also known to you, that the road which leads from Nashville to Natchez, thro' the Chickasaw nation, a part of which is within the limits of the state of Tennessee, is rendered very unsafe for travellers, owing to many causes, the most material of which may be considered to arise from the want of settlers thereon, who could and would not only afford them protection from the frequent attacks of a lawless banditti, that has for some time infested the road, to the great injury of the people of this state. All these inconveniences are by us deemed to be serious evils, difficult to be borne by those who are freemen, and who are entitled to the uninterrupted enjoyment of equal privileges and benefits with those citizens of the United States, who are in the daily enjoyment of all their property, and who are by the government protected in their lives and liberties.

The legislature of this state feeling a sense of the difference between the situation of the people of this state in these respects, and the situation of the inhabitants of other states, and possessing a lively interest in their welfare, together with a belief that those evils can and ought to be removed by the general government, as now administered, we request and enjoin it on you, our representatives in that government, to urge in all proper ways, the propriety of an extinguishment of the Cherokee and Chickasaw claims to lands within the limits of the state of Tennessee, as soon as practicable, to the end that our population may encrease, and our citizens be possessed of their just rights. With perfect respect and esteem, we have the honor to be, &c.

On motion of Mr. M'Minn, the following resolutions were adopted, and sent to the House of representatives for their concurrence—

Resolved, That George Roulstone, public printer, be directed, without delay, to print fifteen hundred copies of the militia law, passed at the present session, to be distributed as follows: one for the governor, one for each major general, one for each brigadier general, one for the adjutant general, one for each brigade major, one for each colonel commandant, one for each major, one for each adjutant and judge advocate, and one for each captain, lieutenant,

and corner in this state, and the overplus, if any, to be deposited in the office of secretary of state.

Resolved, that the said copies, when printed, shall supersede the necessity of reprinting and incorporating them in the laws of this state.

Resolved, that any officer who may hereafter receive a copy of the said militia law, and at any time hereafter may resign his commission, shall be bound to deliver to his successor the law aforesaid, unless the same be lost by fire or otherwise.

Amessage from the House of Representatives:

Mr. Speaker and Gentlemen of the Senate,

This house concurs with your resolutions for printing 1500 copies of the militia law; but do not agree that the same be not printed with the other laws passed this session.

A bill to repeal an act, entitled, an act to appoint commissioners to run the line between the counties of Greene and Hawkins, (agreeable to an act passed at Fayetteville in the year 1786) passed Nov. 10, 1801, was read the third and last time, passed and sent to the house of representatives.

The yeas and nays being called for

Those who voted for the passage, were,

Messrs. Nichol, Doherty, Taylor, Weakley, McMiner, Stewart and Smith.

Those who voted against it, were,

Messrs. Maxwell, Gass and Rutledge.

A bill to amend the third and fourth sections of an act, entitled; an act to establish a treasury department, passed April 13, 1799, and to define the duties of the treasurers, was read the third and last time, passed and sent to the house of representatives.

A bill to suspend the operation of an act passed at Knoxville, 1799, for establishing offices for receiving entries of claims of vacant lands, was read the second time, passed and sent to the house of representatives.

A bill to release Nicholas Conrad from a fine in the county of Wilson, was read the third and last time, passed and sent to the house of representatives.

Agreeable to the order of the day, at four o'clock the speaker and gentlemen of the senate attended in the representatives' chamber for the purpose of balloting for a treasurer for the districts of Washington and Hamilton, and

for a treasurer for Mero district. And after some time spent therein, Mr. Gals from the committee appointed to superintend the balloting, reported, that for the treasurer for Washington and Hamilton districts, Thomas M'Corry had nineteen votes, and Robert Houston had seventeen votes—and that Thomas Crutcher had thirty six votes for treasurer for Mero district—Whereupon the speaker of the senate declared Thomas M'Corry to be duly and constitutionally elected treasurer for the districts of Washington and Hamilton, and Thomas Crutcher to be duly and constitutionally elected treasurer for the district of Mero.

Mr. M'Winn from the committee appointed to draft an address to the Congress of the United States, relative to the lands claimed by the Cherokee and Chickasaw Indians, within the limits of this state, reported; that the committee had drafted a memorial, which he presented to the house, and being read was sent to the house of representatives.

The house then adjourned until to morrow morning nine o'clock.

Saturday, November 5, 1803.

The House met according to adjournment.

A bill to authorise the inhabitants living above the ridge which divides the waters of Obed's and Roaring rivers in Jackson county, to hold separate elections, was read the third and last time; passed, and ordered to be engrossed.

A bill respecting the duty of registers, was read the third and last time, passed, and ordered to be engrossed.

A bill to amend an act, entitled, an act authorising the court of Knox county to build a prison, &c. was read the third and last time, passed and ordered to be engrossed.

A bill to alter the names of certain persons therein mentioned, was read the second time, passed and sent to the house of representatives.

A bill to suspend the operation of an act, passed at Knoxville 1799, for establishing offices for receiving entries for claims of vacant lands, &c. was read the third and last time, passed and ordered to be engrossed.

A bill for the appointment of an agent on the part of this state, to go to the legislature of the state of North Carolina, for the purpose of finally settling the land business

between the two states, and for other purposes, was read the third time.

Resolved, that the following message be sent to the house of representatives—

Mr. Speaker and Gentlemen of the House of Representatives,

The senate have taken up for the third reading, a bill for appointing an agent on the part of this state to go to the state of North Carolina, &c. and propose amending it by striking out the second section, and adopting in room thereof as a section, that sent herewith for your consideration. If you agree to this amendment, send two of your body to see it made.

A message from the house of representatives:

Mr. Speaker and Gentlemen of the Senate,

This house do not concur with your proposed amendment to the bill for appointing an agent on the part of this state to go to North Carolina, &c. but have unanimously adhered to the amendment made by them at their last reading, which you propose striking out.

The bill was then ordered to lie on the table till Monday next.

A bill for the better regulation and establishment of the militia of this state, which was engrossed and examined by the committee of enrolled bills, and being signed by the speaker of the house of representatives, was also signed by the speaker of this house.

A bill to repeal an act, entitled, an act increasing the jurisdiction of justices of the peace, and regulating proceedings therein, was read the third and last time, passed and sent to the house of representatives.

Received the resignation of Robert Weakley, a justice of the peace for Davidson county, which was sent to the house of representatives.

A bill to amend an act, entitled, an act to prevent the exportation of unmerchantable commodities, was read the second time, and withdrawn by Mr. Weakley for amendment.

The following message was sent to the house of representatives

Mr. speaker and gentlemen of the House of Representatives,

The senate have appointed the following persons justices of the peace for the several counties hereafter mentioned—

For the county of *Anderson*—Arthur Crozier, Spencer Graham, Samuel McCoy, William Havens, James Scarborough, Alexander Gaston, Richard C. Cobb, Thomas Hill, and Richard Lendville.

For the county of *Cocke*—Augustine Jenkins, James Kinney, and Thomas Holland.

For the county of *Davidson*—Charles Robertson, John Childress, jun. Thomas Deaderick, Ethan A. Parker, William Hall, Lewis Dunlop, Joshua Ballance, Robert Heaton, Isaac Roberts, John Stump, Thomas Williamson, and Richard Drury.

For *Dickson* county—Montgomery Bell, William Doak, William Russell, Sterling Brewer, Gabriel Allen, and William Tease.

For *Greene* county—William Wilson, Hugh Neilson, Leonard Dell, John Gragg, Christopher Kerby, William Glaze, and William Conway.

For *Hawkins* county—John Smith, James Haygood, Nicholas Long, James Johnston, Reuben Barneth and John Smith.

For *Jackson* county—Elijah Chisholm, Charles Huddpeth, David Ramsey, Ferdinand Hamilton, Stephen Copeland, John Gore, John Cross, Joseph Taylor, Corder Stone, Abner Henley, John Smith, John Bryant and Henry Ragan.

For *Jefferson* county—John Vance, William Mills, (living on Houston) James Lawrence and Michael Branner.

For *Knox* county—Robert Houston, Nathan B. Markland, Thomas Greer, John Narramore, John Dugan, Mordecai Yarnel, James Hardin, Joseph Ayers, Leaven Gray and Samuel Montgomery.

For *Montgomery* county—Joseph Robertson, David Pritchett, Britten Bayless Benjamin Weakley, James Meers, James Fintress and Nathan M. Graw.

For *Roane* county—Jacob Jones, Samuel Eskridge, James Gallaher, Jeff. Bird and Ala Cobb.

For *Rutherford* county—James Sharp, Col. John Thompson, Peter Lagrand, Thomas Rucker, John Howel, Charles Ready, and John Hill.

For *Robertson* county—James H. Bryan.

For *Smith* county—James Vance, James Roulstone, William Marchbanks, George Leeper, John Gordon, jun. Gideon Pillow, Lewis Ford, Martin Young, Alexander Lowrey, Bazel Shaw, Godfrey Fowler, Aaron Hart, Josiah Howel, Adam Deal, James Cotten, Wilson Cage, Archibald Sloan and Willis Jones.

For *Sullivan* county—John Tipton, James Fagan, Josiah Whitnel, Ireson Longacre, Abram Looney, John Jennings, Washington Lewis and Solomon Smith.

For *Sumner* county—Mathew Alexander, Nicholas Boyce and William Trigg, jun.

Time, amended, passed and sent to the house of representatives.

For *Stewart* county—William Allen, Joshua Williams, George Petty, John Harvey, James Tagart and Joseph Johnstone.

For *Williamson* county—John Spencer, John Hardiman, George Hulmer, Oliver Williams, Richard Prichett, James Allison, Tristram Patton, Sherwood Greene, John Houston, Spencer Baulford, Jacob Scott and James Boyd.

For *Washington* county—Thomas Stewart, George Wilson, Samuel Templin, Archibald Glascock, William Mitchell, Joseph Barnes, William Blair, James Patterson, Jacob Hunter, William Baylis, William Collier and Isaac Miller.

For *Wilson* county—William Bartlett, John Adams, Philip Koonce, John Williamson, John V. Tullock and Andrew Steele.

A message from the House of Representatives,

Mr Speaker and Gentlemen of the Senate,

This house concur with your appointments of justices of the peace, and have made the following appointments—

For *Claiborne* county—John Hunt, sen William Acklitz, James Rice, Silas Williams, Moses M'Spadden, John Lynch, John Word and Peter Hafacre.

For *Blount*—Samuel Norward, Samuel Bigham, William Waker, John Woods, Joseph Alexander, John Bradley, Stephen Stafford and Samuel George.

For *Grainger*—John Huddleston, William Christian, Philip Sigler, James Whilock, James Moore, jun Henry Boatman, Sherad Maze, Reuben Riggs and John S. M Farlane.

For Sevier—Robert Duggin, Benjamin Ouronite, John Rose, Benjamin Reclor.

For Anderson county—John Adair.

The following message was sent to the house of representatives.

Mr. Speaker and Gentlemen of the House of Representatives,

The senate concur with your appointments for justices of the peace.

The house then adjourned till Monday ten o'clock.

Monday, November 7, 1803.

The house met according to adjournment.

A bill to alter the names of certain persons therein mentioned, was read the third and last time, passed and ordered to be engrossed.

A bill to ascertain what property in this state shall be deemed taxable, and the mode of collecting, accounting for and paying public taxes, was read the second time, amended, passed and sent to the house of representatives.

A bill for the appointment of an agent on the part of this state, to go to the legislature of North Carolina, for the purpose of settling and adjusting the land titles of this state, was read the third and last time, passed, and ordered to be engrossed.

A bill to amend an act, entitled, an act to prevent the exportation of unmerchandiseable commodities, was read the second time, passed and sent to the house of representatives.

A message to the house of representatives,

Mr. Speaker and Gentlemen of the House of Representatives,

The senate have resolved to strike out the name of Charles Grigsby, as a justice for Sevier county, and inserting in the room of it, John Henry and Benjamin Reclor. We propose striking out, for Anderson county, John Adair, and insert Jacent Cloud. We propose striking out for Grainger county, John Huddleston, and insert for said county, John Bracen and Valentine Moulder. We propose inserting for Rutherford county, William Doran. We propose appointing in Claiborne county, William Doherty and Joab Hill.

A message to the house of representatives,

Mr. Speaker and Gentlemen of the House of Representatives,

The senate propose appointing two additional justices for the county of Jackson, to wit, James Berdine and Samuel Hays, and for Carter county, Hugh White.

A message from the house of representatives,

Mr. Speaker and Gentlemen of the Senate,

This house concur with your last nomination of justices for Jackson and Carter counties. We also propose adding Alexander M'Mullen for Knox county.

A message to the house of representatives,

Mr. Speaker and Gentlemen of the House of Representatives,

The senate concur with your nomination of Alexander M'Mullen as a justice for Knox county.

A bill concerning the agent from this state to North Carolina, &c was read the third time, and the following message sent to the house of representatives.

Mr. Speaker and Gentlemen of the House of Representatives,

The senate have taken up for the third and last time, a bill concerning the agent from this state to North Carolina, and propose amending it by striking out the word "five," before the words "dollars for thirty miles," and by inserting "four;" and by striking out "six dollars," and inserting "five dollars." If you agree to these amendments, send two of your body to see them made.

A message from the house of representatives:

Mr. Speaker and Gentlemen of the Senate,

This house do not concur with the amendments by you proposed to the bill for sending an agent to the state of North Carolina.

Ordered, that the following message be sent to the house of representatives.

Mr. Speaker and Gentlemen of the House of Representatives,

The senate propose going into the election of notaries public this evening at candle light, and have nominated Mr. John Somerville for the district of Mero, Willie Blount, Esq for the district of Hamilton, and Mr. John Fain for Washington district; and name on our part Messrs. Weakley and Jack to superintend the balloting

A message from the house of representatives:

Mr. Speaker and Gentlemen of the Senate,

This house concur with you in electing notaries public, and have added mr. Patrick Campbell to the nomination by you made, and appoint messrs. Foster and Kennedy to superintend the balloting.

Ordered, that the following message be sent to the house of representatives :

Mr. Speaker and Gentlemen of the House of Representatives,

The senate have withdrawn the name of Willie Blount from the nomination for the office of notary public.

A message from the house of representatives :

Mr. Speaker and Gentlemen of the Senate,

This house concur with you in withdrawing the name of Willie Blount from the nomination for the office of notary public.

A bill for the appointment of an agent on the part of this state, to go to the legislature of North Carolina, for the purpose of finally settling and adjusting the land business between the two states, and for other purposes, was read the third and last time, and the following message was sent to the house of representatives.

The senate have read the third and last time a bill for the appointment of an agent to go to North Carolina, and propose amending it by striking out the second section, from the word "act," and by adding as another section, that herewith sent for your examination. If you agree to these amendments send two of your body to see the same made.

A message from the house of representatives :

Mr. Speaker and Gentlemen of the Senate,

This house concur with your proposed amendments to the bill for appointing an agent on the part of this state to go to the legislature of North Carolina, and have sent messrs. Foster and Kennedy to see them made.

The bill was accordingly amended, passed, and ordered to be engrossed.

A bill for taking the enumeration of the free taxable inhabitants of this state, was read the third and last time, and on motion of mr. Weakley, "free" before "taxable inhabitants," was struck out, and the following message was sent to the house of representatives :

Mr. Speaker and Gentlemen of the House of Representatives,

The senate have read for the third and last time the bill for taking the enumeration of the free taxable inhabitants

of this state, and propose amending it by striking out the word "free," before the word "taxable," in several parts of said bill, to make it conform to the constitution. If you agree to this amendment, send two of your body to see the same made.

A message from the house of representatives:

Mr. Speaker and Gentlemen of the Senate,

This house do not concur with your proposed amendment to the bill for taking the enumeration of the free taxable inhabitants of this state, as this house think the bill as it now stands not unconstitutional.

The bill was ordered to lie on the table till to morrow morning.

Mr Rutledge presented a report of the committee appointed to take under consideration the books and papers of Carter's office

On motion of mr. Doherty, seconded by mr. Gass, to disagree to or strike out said report from the words, "September 16, 1779," it was decided in favor of striking it out.

The yeas and nays being called for,

Those who voted for striking out, were,

Messrs Nichol. Doherty, Taylor, Weakley Jack, Gass, M'Minn, Rutledge, Smith.

Those who voted against striking out, were,

Messrs. Stewart and Maxwell.

The report when amended in the following words, was adopted, and ordered to be entered on the journal.

The committee to whom was referred the consideration of that part of the late governor's communications of the 23d ultimo which relates to the books and papers formerly in the office of John Carter, entry taker of Washington county, and also a file containing one hundred and seventy five pieces of paper, purporting to be locations, beg leave to report,

THAT they have, agreeable to order, proceeded to examine the same, collect testimony, and compare said file with the record certified by the secretary of the state of North Carolina. From all which it appears, that one hundred and sixty five of those papers, purporting to be locations, and contained in said file were made for John Sevier, each containing six hundred and forty acres, and that there are ten others for sundry persons,

viz. two in the name of Valentine Sevier, jun. for 640 acres each, No. 1684 and 1685; one in the name of Valentine Sevier, sen. for 640 acres, No. 1683; one in the name of Joseph Sevier, for 640 acres No. 1682; one in the name of Joseph Sevier, sen for 640 acres. No. 1681; one in the name of John Sevier, jun for 640 acres, No. 1680; one in the name of John Goad, sen for 640 acres, No. 1660; one in the name of Michael Robertson, for 640 acres, No. 1751; one in the name of William Clarke, for 640 acres, No. 1772; and one in the name of Henry Marlin, for 640 acres, No. 1776, all dated September 16, 1773

Mr. Maxwell's reasons for voting against striking out the report.

There are facts clearly set forth in that part of the report proposed to be struck out, which are contained in the depositions and the certified record from the secretary's office of North Carolina, which should remain in the report as exposed to the view of the world, and so materially connected with the transaction to be enquired by the committee, that they ought not be suppressed, and I believe the report does not go farther than warranted by the money.

J MAXWELL.

The following message was sent to the house of representatives :

We herewith send you the report of the committee appointed to take into consideration the papers and books of Carter's office, part of which we have concurred with, and part rejected, which part we have dealt as you will see.— We have resolved to enter on our journals that part of said report which we have adopted.— We have resolved, that the report and all the depositions and papers herewith sent be deposited in the secretary's office of this state.

Received from the house of representatives the following resolution :

Resolved, that Knoxville be and remain the seat of government until the end of the next stated session of the general assembly, and until otherwise provided for by law.

Which being read, resolved, that this house concur therewith.

Received from the house of representatives the following resolution :

Resolved, that the attorney general be instructed to institute suit against the late treasurer of Mero district for the monies due by him to the state.

Which being read, resolved, that this house concur therewith.

A bill to compel the attendance of witnesses before justices on the trial of warrants, and before commissioners appointed to take depositions, was read the second time, and laid over till the next general assembly.

At the hour of seven o'clock, the speaker and gentlemen of the senate attended in the representatives' chamber for the purpose of electing notaries public and after some time spent therein, the committee appointed to superintend the balloting, reported, that John Somerville had all the votes for notary public in the district of Mero, Patrick Campbell, all the votes for notary public for Hamilton district, and John Fain all the votes for notary public for Washington district—Whereupon the speaker of the senate announced in the presence and hearing of both houses, that the above named gentlemen were duly and constitutionally elected notaries public for the districts for which they were severally nominated.

Received from the house of representatives the following engrossed bills, examined by the committee of enrolled bills, and being signed by the speaker of the house of representatives, were signed by the speaker of this house.

An act to amend act, entitled, an act to authorize the court of Knox county to lay a tax for the purpose of building a prison and stocks in Knoxville passed Nov. 13, 1801.

An act authorizing Isaac Baker and Thomas Willson to erect a turnpike on a road therein mentioned.

An act authorizing the inhabitants living above the ridge which divides the waters of Roaring and Obed's rivers, in Jackson county, to hold separate elections.

An act to authorize the governor to procure a quadrant for the use of this state.

An act authorizing the secretary to surrender grants to the owners, in case where only a part of the land is lost.

An act the more effectually to prevent the injuries that may result to the good citizens of this state, by suffering stud horses and stud colts to run at large, and for encouraging the breed of horses.

An act to suspend the operation of an act, passed at Knoxville, January 5th, 1799, for establishing offices for receiving entries of claims for vacant lands.

An act respecting the duty of registers.

An act to confirm all marriages solemnized under the authority of what was called the state of Franklin.

An act authorising a lottery in the town of Knoxville and county of Knox, for the purpose of building a masonic hall.

An act altering the names of certain persons therein mentioned.

An act to amend the third and fourth sections of an act entitled, an act to establish a treasury department, passed 13th April, 1796, and to define the duties of treasurers.

The house adjourned until to-morrow nine o'clock.

Tuesday, November 8, 1803.

The House met according to adjournment.

Received from the house of representatives the following report of the committee of finance—

The committee of finance, upon settling the accounts of Robert Searcy, esq. treasurer for the state, in the district of Mero, respectfully report—

That they find him chargeable with the sum of seven thousand and eighty nine dollars, and fifty nine cents, being the amount of the public revenue in the said district, for the years 1801 and 1802, as by him reported, including the sum of six thousand seven hundred and ten dollars, fifty seven cents, which appeared to be due from him at his last settlement with the legislature, and for which he was then made chargeable; and that the said treasurer has produced warrants, drafts, &c. chargeable on the public taxes, to the amount of three thousand one hundred and twenty one dollars, twenty four cents, for which sum he is entitled to a credit. The committee further report, that it is their opinion, from information obtained in the office of secretary of state, and by other means, that the said treasurer has taken up other warrants, drafts, &c. to the amount of one thousand one hundred and forty one dollars, fifty cents, which was destroyed in his house by fire, and for which sum they think he ought to receive a credit, on the express

Condition, that the state shall not at any time hereafter be charged with any of these drafts. The committee also report, that it is their opinion, that the said treasurer will be entitled to a credit on account of fines due at his last settlement, from sundry persons for failing to return regular lists of their taxable property, and from the payment of which fines those persons have since been by law released. It is also the opinion of the committee, that before the treasurer can obtain a credit for any of the above mentioned fines, it will be necessary for him to produce certificates from the clerks of the courts where the fines were incurred, regularly authenticated, setting forth the amount of such fines, and that the persons who incurred them had been legally released from the payment of them; and that it will be further the duty of the said treasurer, before he can obtain a credit of any of the said fines, to give satisfactory evidence, that the amount of the fines for which he is to receive a credit, was included in the amount of the monies he was charged with at the last settlement with the legislature; and it is further the opinion of the committee, that should the said treasurer obtain a credit on account of said fines that it will then be proper to charge him with nine per cent. on the amount for which he may to obtain a credit, on account of collector's and treasurer's commissions heretofore allowed him. The committee also report, that the said treasurer will be entitled to a credit of three per cent. on the amount of the monies which he may account for, for the years 1801 and 1802, after deducting the amount of collector's, clerk's and register's commissions, and that he will also be entitled to a credit for commissions paid to said collectors, clerks and registers, for the said years 1801 and 1802.

Amount collected from the collectors, clerks and registers, for the years 1801 and 1802, as reported by the treasurer,	8,341 10
Amount due from collectors for the years 1801 and 1802, as reported by the treasurer, and for which he is chargeable,	2,037 92
Amount of the monies due and received for the years 1801 and 1802,	10,379 02
Amount due from the treasurer at the last settlement,	6,710 57

Amount of the revenue for the years 1801
and 1802, including the balance due from the
treasurer at the last settlement,

17,089 59

Amount of vouchers produced,

3,121 44

Amount of vouchers supposed
to have been taken up by the trea-
surer, and destroyed by fire, viz.

James Sanders's draft for ser-
vices as a member of assembly,

D. 120 9

William Hall's ditto,

121 34

Two of Judge Jackson's certificates,

100 dolls each,

200

Four Judge White's do. 100 dolls each,

400

Two Judge Campbell's, 100 dolls each,

200

Two of the attorney gen. 50 dolls each,

100

— D. 11,41 50

Which includes the whole of the warrants, drafts, &c.
chargeable on the public taxes, which had issued, except
those taken up and produced by the treasurer of Washing-
ton and Hamilton districts, up to the time the treasurer of
Mero district had his papers destroyed by fire.

Amount of the vouchers produced, and of
them supposed to be destroyed,

42,62 74

Balance due from the treasurer to the state,
after deducting the amount of vouchers pro-
duced, and the amount of those supposed to
have been lost,

12,862 85

Which was read and concurred with.

A bill to ascertain what property in this state shall be
deemed taxable, and the mode of collecting, accounting
for, and paying public taxes, was read the third and last
time, passed, and ordered to be engrossed.

The yeas and nays being called for,

Those who voted for the passage of the bill, were,

Messrs Nichol, Doherty, Weakley, Maxwell, Gak,
M'Minn, Stewart, Rutledge, Smith.

Against it,

Mr. Taylor.

A bill to amend an act, entitled, an act to prevent the ex-
portation of unmerchantable commodities, was read the
third and last time, passed and ordered to be engrossed.

A bill making compensation to the members, clerks and door keepers, &c. was read the third and last time, amended, passed, and ordered to be engrossed.

A bill concerning the agent from this state to the state of North Carolina, was read the third and last time, and on motion of Mr Weakley the following message was sent to the house of representatives:

Mr. Speaker and Gentlemen of the House of Representatives,
The senate have taken up for the third and last reading, a bill concerning the agent from this state to North Carolina, and propose amending it by striking out the word "five," before the word "dollars for every thirty miles," and by inserting in room thereof "four;" and by striking out "six," before "dollars for every day," and inserting "five" in room thereof. If you agree to these amendments, send two of your body to see them made.

A message from the house of representatives:

Mr. Speaker and Gentlemen of the Senate,
This house cannot concur with your proposed amendments to the bill concerning an agent from this state to North Carolina, but are willing that he be allowed the sum of five dollars per day indiscriminately, and the same for every thirty miles in travelling to and from Raleigh.

The following message was sent to the house of representatives.

Mr. Speaker and Gentlemen of the House of Representatives,

The senate are willing to pass the bill concerning an agent from this state to North Carolina, when amended as you proposed. We therefore request you to send two of your body to see them made.

A message to the house of representatives,

Mr. Speaker and Gentlemen of the Senate,

This house have sent messrs. Menefee and Buckingham to see the amendments made to the bill concerning an agent from this state to North Carolina.

The bill was accordingly amended, passed, and ordered to be engrossed

A bill for taking the enumeration of the free taxable inhabitants of this state, was read the third and last time, and the following message was sent to the house of representatives:

Mr. Speaker and Gentlemen of the House of Representatives

The senate have again taken up for the third and reading, a bill for taking the enumeration of the free taxable inhabitants of this state, and propose amending by striking out the word "free" in order to make it conform to the constitution

A message from the house of representatives :

Mr. Speaker and Gentlemen of the Senate,

This house cannot concur with your proposed amendment to the bill for taking the enumeration of the taxable inhabitants, &c. unless you insert the following section—Be it enacted, that the ratio of representation shall only be confined to the number of free taxable inhabitants in each county.

Which being read, was non concurred with, and the bill was passed the third and last time and ordered to be engrossed.

The yeas and nays being called for on the passage of the bill,

Those who voted in favor of the passage, were,

Messrs Nichol, Doherty, Taylor, Jack and Rutledge.

Those against it, were,

Messrs Maxwell, Stewart and Smith.

Mr. Maxwell moved for leave, which was granted, and he entered his reasons on the journals as follows—

The constitution of this state has said, that the enumeration of taxable inhabitants shall be taken once in seven years; and I conceive it to be a principle inseparable from a well regulated republic, that taxation and representation should be equal. The intention of the constitution must have been, to take an account of all taxable inhabitants, and that the ratio of representation should be ascertained by having a view to our own constitution and that of the United States. If that is the fact, I conceive the bill limiting the enumeration to the free taxable inhabitants is an infraction of the constitutions of Tennessee and the United States.

Received the following resolution from the house of representatives.

Resolved, that the public printer be directed to print thirty copies of an act, entitled, an act to amend an act establishing courts of law and regulating proceedings therein.

as respects the county courts, and forward them to different clerks of the counties at the same time the militia law is forwarded.

Which being read, resolved, that this house concur therewith.

Resolved, that George Roulstone, public printer, shall, according to his contract with this general assembly, print the laws and journals of this session, and distribute them as follows:

To the county of Anderson, twenty eight copies of the laws and fifteen copies of the journals, to be delivered at the clerk's office of said county.

To the county of Carter, twenty five copies of the laws and fifteen copies of the journals, to be delivered as aforesaid.

To the county of Blount, twenty seven copies of the laws and fifteen copies of the journals, to be delivered as aforesaid.

To the county of Claiborne, twenty copies of the laws and fifteen copies of the journals, delivered as aforesaid.

To the county of Cocke, twenty four copies of the laws and twelve copies of the journals, delivered as aforesaid.

To the counties of Davidson, Williamson and Rutherford, ninety copies of the laws and fifty copies of the journals, to be delivered to the clerk of Davidson.

To the counties of Dickson, Montgomery and Stewart, twenty eight copies of the laws and thirty copies of the journals, to be delivered to the clerk of Montgomery.

To Grainger county, twenty five copies of the laws and fifteen copies of the journals, to be delivered to the clerk.

To Greene county, forty copies of the laws and twenty copies of the journals, to be delivered as aforesaid.

To Hawkins county, twenty eight copies of the laws and fifteen copies of the journals, to be delivered as aforesaid.

To Jefferson county, twenty six copies of the laws and fifteen copies of the journals, to be delivered as aforesaid.

To the counties of Smith and Jackson, forty five copies of the laws and thirty copies of the journals, to be delivered to the clerk of Smith county.

To Knox county, thirty six copies of the laws, and twenty three copies of the journals, to be delivered to the clerk of said county.

To the counties of Sumner and Wilson, sixty five copies of the laws and thirty five copies of the journals to be delivered to the clerk of Sumner county.

To Roane county, twenty copies of the laws and twelve

To Robertson county, twenty nine copies of the laws & fifteen copies of the journals, to be delivered to the clerk of said county.

copies of the journals, to be delivered to the clerk thereof.

To Sevier county, twenty four copies of the laws and twelve copies of the journals, to be delivered to the clerk.

To Washington county, fifty copies of the laws & thirty six copies of the journals, to be delivered to the clerk of said county.

To Sullivan county, thirty six copies of the laws and twenty copies of the journals, to be delivered to the clerk of said county.

On motion of Mr. Smith, the following resolution was adopted and sent to the house of representatives.

Resolved, that John Overton, esq. be allowed to draw from the treasury of this state, on a warrant from the governor, (which warrant he is hereby authorized to issue) the sum of three hundred dollars, to defray the expences of his mission to North Carolina, for which he shall account as part of his compensation to which he is entitled by virtue of an act passed this general assembly, entitled, "an act concerning an agent from this state to the state of North Carolina."

A message from the house of representatives.

Mr. Speaker and Gentlemen of the Senate,

This house concur with your resolution authorizing John Overton, esq. to draw three hundred dollars from the treasury, for the purpose of defraying the expence of his mission to North Carolina, to be deducted from his compensation upon final settlement with him.

The following resolution was adopted, and sent to the house of representatives:

Resolved, that the file of locations of John Carter's office, be deposited in the office of secretary of state, there to be safely kept until the next general assembly.

A message from the House of Representatives,

Mr. Speaker and Gentlemen of the Senate,

This house do not concur with your resolution with ref-

past to depositing all the papers relative to Carter's office, in the secretary's office; but propose that such papers as properly belong to that office be deposited with said secretary, and those purporting to be locations made in said office, upon which the joint committee of both houses have reported, together with all documents and papers accompanying the same, be deposited with Joseph Greer, esq. there to remain until called for by the general assembly; and have appointed messrs. Martin and Samuel Tipton to act with such as you may appoint to see said papers deposited with Joseph Greer, esquire.

Which being read, resolved, that this house concur therewith, and Mr. Jack was appointed on the part of this house to carry said resolution into effect.

The following resolution was adopted, and sent to the house of representatives:

Resolved, that Mr. Weakley be a committee on the part of this house, to make an estimate of the expences of this session of the general assembly.

A message from the House of Representatives:

Mr. Speaker and Gentlemen of the Senate,

This house concur with you in appointing a committee to make an estimate of the expences of the present session of assembly, and have appointed messrs. Foster and Claiborne on the part of this house.

A message from the house of representatives:

Mr. Speaker and Gentlemen of the Senate,

This house have appointed messrs. Russell and Menefee to act with such gentlemen as you may name, to wait on his excellency the governor, for the purpose of informing him, that the legislature are about to adjourn, and wish to know if he has any further communications to make.

The following message was sent to the house of representatives:

Mr. Speaker and Gentlemen of the House of Representatives,

The senate concur with your message for appointing a committee to wait on his excellency the governor and inform him the legislature is about to adjourn, &c and have named Mr. Doherty to act with such gentlemen as you have appointed.

The following resolution was adopted and sent to the house of representatives:

Resolved unanimously by the senate and house of representatives of the state of Tennessee, that it is the desire of this legislature that the senators and representatives from this state in the Congress of the United States, in pursuance of the power in them vested by an act of the general assembly, entitled, "an act to appoint agents to settle the disputes between this state and the United States, relative to the vacant and unappropriated lands within this state, and to procure the relinquishment of the claim of the United States to the same," use their best endeavours to effect a compromise between this state and the United States relative to said lands, and to enter into any agreement with the United States, or any agent or agents that they may think proper to appoint, to procure a cession from the United States of their claim to any part or all of said lands to the state of Tennessee, on such terms as to them may appear most expedient for the interest of the state.

Received from the house of representatives, the following message,

Mr. Speaker and Gentlemen of the Senate.

This house concur with your resolution respecting the vacant and unappropriated lands within this state.

Received from his excellency the governor, by the hand of the secretary, the return of the militia of this state to the present year, as made by the adjutant general, which which read and sent to the house of representatives.

Received from the house of representatives the following message,

Mr. Speaker and Gentlemen of the Senate,

This house are ready to adjourn without day.

The following message be sent to the house of representatives:

Mr. Speaker, and Gentlemen of the House of Representatives,

The senate concur with your message for adjourning without day.

The senate then adjourned "*sine die*."

JAMES WHITE,
Speaker of the Senate.

By order,
JAMES TREMBLE,
Clerk of the Senate.

An estimate of the pay of the members, clerks, and door-keepers, &c. of a general assembly, began and held at Knoxville, on the nineteenth day of September, one thousand eight hundred and three.

NAMES.	No. of days.	Pay per day.	No. of miles.	Pay per 25 miles.	Amount.
Playl Nichol,	51	1 75	60	1 75	93 45
James Scott,	51	1 75	40	1 75	92 5
Thomas Buckingham,	51	1 75	40	1 75	92 5
Robert Weakley,	51	1 75	416	1 75	118 37
James Maxwell,	51	1 75	430	1 75	119 35
Robert C. Foster,	51	1 75	420	1 75	118 65
Jesse Wharton,	51	1 75	420	1 75	118 65
Thomas A. Claiborne,	51	1 75	420	1 75	118 65
John Gass,	51	1 75	150	1 75	99 75
John Harmon,	51	1 75	150	1 75	99 75
John Russell,	51	1 75	150	1 75	99 75
John Finley Jack,	51	1 75	66	1 75	93 87
John Bunch,	51	1 75	64	1 75	93 75
James Renfro,	51	1 75	100	1 75	96 25
Joseph M. Minn,	51	1 75	160	1 75	100 45
Rodham Kenner,	59	1 75	132	1 75	94 99
George Doherty,	51	1 75	56	1 75	93 17
William Lillard,	49	1 75	120	1 75	94 15
Christopher Hains,	51	1 75	60	1 75	93 45
James White,	51	1 75		1 75	89 25
John Menefee,	51	1 75	18	1 75	90 51
David Campbell,	51	1 75		1 75	89 25
Duncan Stewart,	51	1 75	520	1 75	125 65
Robert Nelson,	48	1 75	500	1 75	119
Anderson Cheatham,	49	1 75	450	1 75	117 85
George Smith,	51	1 75	400	1 75	117 25
William Hall,	51	1 75	340	1 75	113 5
William Martin,	51	1 75	312	1 75	111 0
John K. Wynne,	51	1 75	370	1 75	115 15
George Rutledge,	51	1 75	240	1 75	106 5
John Tipton,	51	1 75	240	1 75	106 5
William Snodgrass,	51	1 75	248	1 75	106 60

NAMES.

	No. of days.	Pay per day.	No. of miles.	Pay per 25 miles.	Amount.
Nathaniel Taylor,	51	1 75	230	1 75	105
John Kennedy,	51	1 75	210	1 75	203
James Stewart,	51	1 75	190	1 75	203
Samuel Tipton,	51	1 75	236	1 75	204
James Tremble, Chief Clerk of the Senate,	51	4			204
Stationary for ditto,					50
Edward Scott, C. H. R. Stationary,	51	4			204
Luke, Lea, Assistant Clk Stationary,	51	4			204
Samuel Love, Asst. Clk.	51	4			204
John Bright, door keeper to the Senate,	51	2			102
Fire wood and candles,					12
John Rhe. door keeper to the H. Represen.	51	2			102
Greer & Charter,					3
Robt. Craighead, Heps,					4
Terrence & Asfy, tables					5

Dolls. 4803